

***United States Court of Appeals
for the Second Circuit***



**SUPPLEMENTAL
APPENDIX**

74-2543

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

-----X

ROBERT L. CARDILLO, :

Plaintiff-Appellant, :

Docket No. 74-2543

-against- :

DOUBLEDAY & COMPANY, INC., THOMAS
C. RENNER, VINCENT TERESA, and
FAWCETT PUBLICATIONS, INC., d/b/a
TRUE MAGAZINE, :

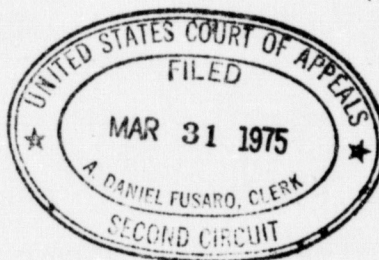
Defendant-Appellees. :

-----X

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H/S

APPEAL FROM THE UNITED STATES DISTRICT
COURT FOR THE SOUTHERN DISTRICT
OF NEW YORK

SUPPLEMENTAL JOINT APPENDIX



NICKERSON, KRAMER, LOWENSTEIN, NESSEN, KAMIN & SOLL
919 THIRD AVENUE
NEW YORK, N. Y. 10022

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PAGINATION AS IN ORIGINAL COPY

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- -x
ROBERT L. CARDILLO, : JUDGE MURRAY I. GURFEIN
Plaintiff, : 73 Civ. 1520
-against- : NOTICE OF MOTION FOR
DOUBLEDAY & COMPANY, INC., THOMAS : SUMMARY JUDGMENT
C. RENNER, VINCENT TERESA and :
FAWCETT PUBLICATIONS, doing :
business as TRUE MAGAZINE, :
Defendants. :
----- -x

S I R :

PLEASE TAKE NOTICE, that upon the annexed affidavits of Robert M. Callagy, William Iversen, Thomas B. Congdon, Thomas C. Renner, Vincent Teresa, Edward F. Harrington, Gary Betz and Paul R. Kramer and the exhibits attached thereto, the pleadings herein, and upon all other prior papers and proceedings had in this action, the defendants will move this Court on the 17th day of October, 1973, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for summary judgment in the defendants' favor dismissing the plaintiff's action on the ground that there is no genuine issue as to any material fact and that the defendants are entitled to a judgment as a matter of law.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, are to be served upon the defendants no later than October 10, 1973, and reply papers of the defendants, if any,

must be served no later than October 16, 1973.

Dated: New York, N. Y.
September , 1973.

Yours, etc.,

SATTERLEE & STEPHENS

By Robert N. Satterlee
A Member of the Firm

TO: ROBERT L. CARDILLO
Plaintiff, Pro. Se
P. O. Box 1000
Lewisburg, Penna. 17837

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- -x

ROBERT L. CARDILLO,	:	
	:	
Plaintiff,	:	73 Civ. 1520
	:	
-against-	:	STATEMENT PURSUANT TO
	:	RULE 9G OF THE GENERAL
DOUBLEDAY & COMPANY, INC., THOMAS	:	RULES FOR THE SOUTHERN
C. RENNER, VINCENT TERESA and	:	AND EASTERN DISTRICTS
FAWCETT PUBLICATIONS, doing	:	<u>OF NEW YORK</u>
business as TRUE MAGAZINE,	:	
	:	
Defendants.	:	
	:	
----- -x	:	

Defendants assert that there is no triable issue of fact as to the following so as to entitle them to summary judgment as a matter of law:

- (i) The publications which are alleged to be libelous are of legitimate public interest;
- (ii) As a matter of law said publications could not have been made by the defendants with "actual malice" -- that is, with knowledge of their falsity or with reckless disregard of whether they were false or not; and
- (iii) Even if plaintiff could establish a prima facie cause of action for libel, the complaint would have to be dismissed because plaintiff could not be entitled to monetary damages -- plaintiff is admittedly a convicted criminal who is presently incarcerated in the Federal Penitentiary at Lewisburg, Pennsylvania, serving a twenty-one year prison sentence.

SATTERLEE & STEPHENS
By [Signature]
A Member of the Firm.

Attorneys for Defendants
Office & P. O. Address
277 Park Avenue
New York, N. Y. 10017
(212) 826-6200

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

ROBERT L. CARDILLO,	:	
	:	
Plaintiff,	:	73 Civ. 1520
	:	
-against-	:	<u>AFFIDAVIT</u>
	:	
DOUBLEDAY & COMPANY, INC., THOMAS	:	
C. RENNER, VINCENT TERESA and	:	
FAWCETT PUBLICATIONS, doing	:	
business as TRUE MAGAZINE,	:	
	:	
Defendants.	:	
	:	
-----x	:	

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

ROBERT M. CALLAGY, being duly sworn, deposes and says:

1. I am a member of the firm of Satterlee & Stephens, attorneys for the defendants in this action.

2. I am personally familiar with all of the facts stated herein and I make this affidavit in support of defendants' motion for summary judgment pursuant to F.R.C.P. 56 to dismiss the complaint in this action upon the grounds that (i) the publications which are alleged to be libelous are of legitimate public interest; (ii) as a matter of law said publications could not have been made by the defendants with "actual malice" -- that is, with knowledge of their falsity or with reckless disregard of whether they were false or not; and (iii) even if plaintiff could establish a prima facie cause of action for libel, the complaint would have to be dismissed because plaintiff could not be entitled to monetary damages -- plaintiff is

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admittedly a convicted criminal who is presently incarcerated in the Federal Penitentiary at Lewisburg, Pennsylvania, serving a twenty-one year prison sentence.

3. This action seeking damages for publication of alleged libelous statements appearing in MY LIFE IN THE MAFIA, a book written by defendants Renner and Teresa, published by defendant Doubleday and serialized by defendant Fawcett in its March and April, 1973 issues of TRUE MAGAZINE, was instituted on April 25, 1973 (copies of the book and TRUE MAGAZINE serializations will be handed up to the Court on the return of the motion). The complaint, a copy of which is annexed hereto as Exhibit A, seeks the sum of \$4 million as compensatory damages against all the defendants and an additional \$4 million as punitive damages against defendant Teresa. Doubleday, Fawcett and Teresa have answered the complaint (a copy of Doubleday's and Fawcett's answers, which are substantially the same, are attached hereto as Exhibit B). Defendants' answers generally deny the material allegations pleaded in the complaint and by way of affirmative defense allege that with respect to the publication, the defendants were acting within the rights guaranteed to them by the First Amendment of the Constitution of the United States and that all matters contained in the book or any serialization thereof which are related to the plaintiff were protected by the First Amendment. The defendant Renner was never served with process in this action, but he is appearing voluntarily for purposes of joining in this motion to dismiss.

4. Since joinder of issue, plaintiff has conducted extensive discovery of the defendants. Plaintiff has served

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notices to admit upon Doubleday and Fawcett, one set of written interrogatories addressed to Fawcett, one set addressed to Doubleday, one set addressed to Renner (which have not been answered because at the time said interrogatories were served and up until the filing of this motion, Renner has not been a party to this action), and five sets addressed to Teresa (Teresa has answered the first three sets of interrogatoires prior to the making of this motion). Except as previously stated, all defendants have furnished full and complete responses and answers to plaintiff's notices to admit and interrogatories about which plaintiff has not objected.

5. The statements which are the basis of this action are enumerated in paragraphs 5(a) through (c) of the complaint (Ex. A). Generally, these statements concern plaintiff's various criminal activities during the years in which he was acquainted with Teresa, some of which activities resulted in arrests and convictions.

6. There can be no question but that the subject of the book is one of great public interest. As stated in the Teresa and Renner affidavits submitted on this motion, defendant Teresa is the highest-ranking organized crime figure ever to tell his story publically. Further, the plaintiff is a convicted felon with whom Teresa became associated at the time of his rise to power in organized crime in the New England area. The book presents an insider's view into the structure and hierarchy of organized crime. It cannot be disputed that organized crime in America today represents one of the gravest threats to and is a financial raper of the individual citizen. Organized crime has left its mark on the entire spectrum of American society

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from big business to the neighborhood supermarket. The willingness of the third ranking figure of New England organized crime to divulge his experiences represented a unique opportunity, not only for Federal and state prosecutors, but especially to the public at large to become aware of the techniques of organized crime and the magnitude of its influence upon the individual citizen. The public interest in Teresa's story goes beyond just the hierarchy and structure of the Mafia, but extends to the life, early background and exposures of one who becomes "successfully" involved in organized crime. In order to truly understand the Mafia, one must have an insight into its members. Everything contained in MY LIFE IN THE MAFIA, and especially facts which relate to an admitted criminal whose life is a history of crime (as is the plaintiff's), is beyond peradventure of a doubt a matter of legitimate public interest.

7. It being established that MY LIFE IN THE MAFIA, and specifically the statements about which plaintiff complains, were made to the public generally and concern topics of legitimate public interest, it remains only to be shown that these statements were not published by the defendants with actual malice. Initially, as stated in the accompanying affidavits, all the defendants continue to believe that statements about plaintiff are true. Teresa has so affirmed this in his affidavit, and Renner, in his, has outlined the substantiation for each of the alleged libelous statements. Documentary evidence is also available to show that many of these statements are true. In fact, as stated earlier, plaintiff is presently serving a twenty-one jail sentence as a result of some of the activities attributed to him, which he now

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complains are false and libelous. Relevant written substantiation which shows plaintiff to be an habitual criminal with a propensity for the type of activities which the book attributes to him will be discussed below.

8. The procedure which Doubleday, Fawcett and Renner employed to insure the truth of all statements in the book and the serialization thereof, are contained in the affidavits submitted by these defendants. Suffice it to say that before publishing the book, Doubleday and Fawcett became familiar with the background and reputation of both Messrs. Renner and Teresa. They were aware that Teresa had testified in criminal proceedings and before a U.S. Senate Subcommittee, at which his testimony had resulted in approximately 45 convictions. Renner's literary background and qualifications as an investigative reporter were also the subject of extensive study. He has had 18 years' experience in the field of journalism, the last 6 of which have been devoted solely to organized crime. Further, in his preparation of the manuscript for the book, Renner did not rely solely on Teresa's statements. After his lengthy interviews with Teresa and his verification of the manuscript with the written documentation which was available to him, Renner submitted the manuscript to numerous specialists in the field of organized crime on both the state and Federal level for their review from the standpoint of accuracy. All of these individuals concurred in the truth of Teresa's story. (See, e.g., affidavits of Messrs. Betz, Kramer and Harrington).

9. In spite of the above, Doubleday, Fawcett and Renner did not publish simply based on these facts, as stated in their

respective affidavits. For example, before publication, Doubleday submitted the entire manuscript of the book to my firm for a review of problems that might be presented in the areas of libel and invasion of privacy. Because of the nature of the book and the fact that numerous living persons were named, a meeting was held in our offices on October 23, 1972 at which time Mr. Renner presented various substantiation for the potentially libelous statements contained in this book. At this time the plaintiff was specifically discussed. His criminal record was reviewed and prior testimony given by Teresa and other witnesses before Congressional Committees relating to plaintiff was obtained. In light of the documented evidence about other episodes concerning the plaintiff contained in the book, the stories which Teresa related from his own personal experiences with the plaintiff became more than believable. This was additional proof to Doubleday and Fawcett that the book contained only accurate and verified accounts and that the authors were relating only the truth in this book.

10. Aside from the facts contained in the Renner and Teresa affidavits which show that the statements about the plaintiff contained in the book are true, the following additional documentary evidence (most of which was furnished by Mr. Renner at our meeting on October 23, 1972) conclusively establishes that it was more than reasonable for the defendants to believe that the statements about the plaintiff were true:

(a) Attached hereto as Exhibit C is a record of plaintiff's criminal arrests, indictments and convictions. (This record, which

reveals an habitual life devoted to the commission of numerous crimes, is complete only through 1967. Not included in this list are the indictments and convictions for which the plaintiff is presently incarcerated.)

(b) Attached hereto as Exhibit D is a copy of plaintiff's answers to interrogatories propounded by defendants. Therein at Answer No. 4 plaintiff admits convictions for stolen securities and bail jumping in the United States District Court for the Southern District of Florida; a conviction for bail jumping in the District of Maryland; and a conviction for conspiracy and interstate transportation of stolen securities in the District of New Hampshire. In Answer No. 10 plaintiff admits to having been convicted of receiving stolen property, mail fraud and other "infractions", and having been charged with violations of the "True Name" law in defraud of inns and motels and shoplifting.

(c) To be handed up at the return of this motion is a copy of the transcript of the testimony given by Teresa before the McClellan Senate Subcommittee in which the plaintiff's name is repeatedly mentioned in connection with various criminal activities committed by him. Teresa's testimony appears between pages 773-830.

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(d) Attached as Exhibit E is a copy of the transcript of the testimony of Joseph Barboza, an informer, given before the United States Congressional Select Committee on Crime which includes a reference to Cardillo's activities in regard to illegally fixing horse races at Suffolk Downs, Massachusetts.

(c) Attached as Exhibit F is a copy of a Federal Bureau of Investigation report dated April 6, 1970 which outlines testimony provided by Teresa relative to the plaintiff's criminal activities involving securities fraud violations. The plaintiff was subsequently indicted and convicted as a result of testimony and information provided by Teresa.

(f) Attached as Exhibit G is a copy of a report prepared by investigators from the Office of the Massachusetts Attorney General which refers to plaintiff's involvement in crime, specifically the receiving of stolen property, beginning as early as 1961 (see p. 4 thereof).

(g) Attached as Exhibit H is a copy of the cover sheet to the compilation of Teresa's record as a witness which was compiled by Edward F. Harrington. (This exhibit is also attached as Exhibit A to the affidavit of Thomas Congdon in which it is more fully explained.)

In addition to showing the crimes for which the plaintiff has most recently been indicted and convicted as a result of testimony by or information provided by Teresa, the cover sheet of this compilation indicates that the plaintiff was indicted by the Commonwealth of Massachusetts for conspiracy to fix horse races.

In short, it is unequivocally clear that the foregoing written documentation demonstrates an extraordinary propensity for crime by the plaintiff and renders it virtually impossible as a matter of law that the defendants could have published any of the statements about the plaintiff with actual malice.

11. Beyond this, however, is the fact that because of the plaintiff's established reputation as an habitual offender and by virtue of his present incarceration, none of the statements contained in the book could damage the plaintiff's reputation.

12. By reason of the foregoing, these publications as a matter of law were not made with "actual malice", that is, with knowledge of their falsity or with reckless disregard as to whether they were false or not, and summary judgment dismissing the complaint with prejudice against all the defendants should be granted.

Robert M. Callagy
Robert M. Callagy

Sworn to before me this

2nd day of September, 1973.

James E. Callagy
Notary Public
JAMES E. CALLAGY
Notary Public
Qualified in New York State
Exp. 12-1-74
Commission Expires March 22, 1974

88 60 520

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT L. CARDENLO,

Plaintiff

vs.

COMPLAINT NO. _____

DOUBLEDAY AND COMPANY, INC.
THOMAS G. RENNER, VINCENT
TERESA, and FAWCETT PUBLI-
CATIONS doing business as
TRUE MICHIGAN

Plaintiff alleges:

1. Plaintiff is a citizen of Massachusetts.
2. Defendants Doubleday and Company, Inc., Thomas G. Renner, Vincent Teresa, Fawcett Publications and John Doe, whose true name will be entered when determined, are citizens of the State of New York.
3. The amount in controversy exceeds \$ 10,000.00 .
4. Jurisdiction is based on the diversity of citizenship between the Plaintiff and Defendants and upon the amount in controversy.

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FIRST CAUSE OF ACTION

5. That beginning about March 15, 1973 and continuing daily, the Defendant Doubleday and Company, Inc. commenced publishing and distributing a book entitled MY Life In The Mafia which asserts the following false and libelous statements and accusations about Plaintiff:

(a) That Plaintiff, in conjunction with a person named "Fat Mike", undertook to hijack a trailer truck which Plaintiff and "Fat Mike" thought was full of liquor, and that Plaintiff participated in said hijacking by driving a lead car which directed the hijacked truck to the alleged place where the cargo would be unloaded; and

(b) That Plaintiff and Defendant Teresa hijacked a load of liquor on which tax stamps of the State of Virginia were affixed, and that said hijacking was consummated by the complicity of the truck driver with whom Plaintiff and Defendant Teresa contracted, agreeing to pay him ten per cent of the yield; and

(c) That Plaintiff was a compulsive thief who couldn't walk through a department store without stealing something, and that the object of Plaintiff's thievery was something trivial, like a bottle of perfume or a television, and further, that Plaintiff stole a bedroom set from the display window of White's Department Store by employing artifices of deceit and took same to Plaintiff's home; and

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(d) That Plaintiff cheated and defrauded an insurance company by enlisting the aid of a police lieutenant who helped Plaintiff create a list of items allegedly burglarized from his home and by verifying to the insurance company that the items were in fact stolen when they were not; and

(e) That Plaintiff paid for the favors of a police lieutenant by planning and scheming with the lieutenant to defraud a hotel in Miami, Florida by arranging to have said police lieutenant register under a false name, and that the police lieutenant did so upon Plaintiff's instructions; and

(f) That Plaintiff, in conjunction with Defendant Teresa and others, acting upon information and medicine supplied by one Ray Patten, injected a depressant in certain race horses running in the Constitution Handicap to the end that bets which Plaintiff and Defendant Teresa and others placed upon the horse, Flauntless Light, which was not injected by the depressant, would win; and

(g) That Plaintiff and Defendant Teresa, in conjunction with Patch Rossi, having learned of the assassination of Danny Lindenbaum, burglarized the laundromat of Danny Lindenbaum and looted therefrom three envelopes of diamonds and forty thousand dollars (\$ 40,000.00) in cash; and

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(2) That Plaintiff used counterfeit American Express Cards with which to purchase airline tickets which he discounted and resold to retail purchasers; and

(4) That Plaintiff was in the business of "hustling" merchandise and was looking for an outlet to sell the same. That Plaintiff went to a toy warehouse in Everett, Massachusetts to see a friend, and while visiting said friend he memorized the number on the padlock that secured the loading door to the warehouse, and having memorized the number went to a locksmith and had keys made, following which Plaintiff and Defendant Teresa stole toys which they disposed of at millions of dollars in profit; and

(3) That Plaintiff habitually purloined packages waiting for other customers at Jordan Marsh's Department Store by paying an errand boy to pick up packages intended for a person whose name Plaintiff had read thereon and bring same to Plaintiff's car; and

(k) That Plaintiff and Defendant Teresa visited the Thunderbird Hotel regularly for the purpose of "hustling" diamonds or stocks, or engaging in crooked card or dice games; and

(1) That Plaintiff and Defendant Teresa used counterfeit credit cards with which to rent Cadillacs and Lincolns from car rental agencies, and further, used counterfeit credit cards to buy clothes, pay for hotel rooms, meals, and entertainment; and

(u) That Plaintiff "chiseled" one Arthur Ventola with respect to stolen merchandise; and

(n) That Plaintiff was in possession of \$ 53,000.00 worth of Jefferson City School Bonds which he knew were stolen from Kennedy Airport; and

(o) That Plaintiff and Defendant Teresa, through the help and aid of one Bernard Berman, an attorney, schemed to take over life insurance companies for the purpose of gaining control thereof for the purpose of looting the assets. In pursuit of this plan Plaintiff and Defendant Teresa selected stocks from major American corporations which were turned over to Berman for the purpose of taking over a London and an Alaskan insurance company; and

6. That all the foregoing statements are fabrications, lies, prevarications, and slander and libel Plaintiff to the extent of \$ 4,000,000.00 in damages.

SECOND CAUSE OF ACTION

7. Paragraph 5 of the first cause of action is incorporated herein by reference thereto.

8. Defendant Thomas C. Renner holds himself out to be a professional journalist specializing in crime reporting and underworld activities. In the authoring of the book entitled My Life In The Mafia, he claims to have checked and verified the statements appearing in the publication and vouches for their accuracy, thereby adopting the statements in said book as his own.

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9. That by reason thereof, Defendant Thomas C. Renner has likewise damaged Plaintiff in the amount of \$ 4,000,000.00.

THIRD CAUSE OF ACTION

10. Paragraph 5 of the first cause of action is incorporated herein by reference thereto.

11. That Fawcett Publishing Company, Inc. caused to be circulated in its publication, True Magazine, all or part of the allegations appearing in paragraph 5 of the first cause of action.

12. That by reason thereof, Defendant Fawcett Publishing Company, Inc. doing business as True Magazine has likewise damaged Plaintiff in the amount of \$ 4,000,000.00.

FOURTH CAUSE OF ACTION

13. That Defendant Torona was, prior to 1970, a petty non-descript woman given to petty thievery, deception, counterfeiting, merchandising pornography, passing worthless checks, using stolen credit cards, selling fraudulent junkets, dealing in stolen cars, defrauding banks, and engaging in other minor crimes.

14. That Defendant Teresa, prior to 1970, was a degenerate philanderer and engaged in illicit extra-marital affairs.

15. That at no time did Defendant Teresa have any ties with or connections in the Mafia, the underworld, or organized crime, and that any meeting Defendant Teresa had with members of the Mafia, the underworld, or organized crime were transitory, fleeting and accidental, or else occurred in prison.

16. That at no time did Defendant Teresa's activities net him any substantial earnings, and at no time did he earn or retain any substantial funds, and that he lived without earnings, near poverty, and on welfare mostly.

17. That Defendant Teresa was convicted of securities fraud and sentenced to twenty years in 1969, and subsequently convicted of car theft and sentenced to a consecutive five to seven years in 1970, and threatened with additional prosecution, and knowing of the naivete and gullibility of certain law enforcement officials, conceived a plan to deceive and duped the law enforcement officials, thereby bargaining for his freedom and government subsidy.

18. That Defendant Teresa then began to invent and fabricate a story that his life of petty crime had led him step by step into adventures and activities with the Mafia, the underworld, and organized crime whereby he came into contact with major figures in crime, earned large sums

money by hijacking, loansharking, gambling, policy operations, stolen motor vehicle rings, merchandising stolen property and shipments, and dealings in stolen and illicit securities, spending large sums of money as he earned it, and joining with said figures in their alleged activities as if he were a top figure in the Mafia, underworld or organized crime, all of which was a pretense and the figment of his imagination.

19. That, learning of the interest of certain investigators in his stories, and being aware of their utter indifference and carelessness with the truth, Defendant Torosa expanded upon his fabrications and furthered his lies with additional stories, embellishments and prevarications, weaving his stories together, thereby creating the illusion that his fantasy was credible and true.

20. That, knowing of the gullibility of Senate Investigators and their obsessive but myopic interest in organized crime, Defendant Torosa appeared before them and, knowing the statements hereinafter appearing to be false, made and gave the following statements under oath:

(a) That Plaintiff and Defendant Torosa conspired a scheme to cash a \$ 34,000.00 check stolen in a mail robbery which Plaintiff had allegedly obtained from one Tony Pallio by having the same deposited in the account of a lawyer named Kessler, and then dividing the proceeds; and

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(b) That Plaintiff and Defendant Teresa retained the services of one Bernard Borman to pledge stolen securities in order to buy a Texas insurance company, and carried out the plan by turning over \$ 10,000,000.00 worth of stolen securities; and

(c) That after Plaintiff was in prison, Defendant Teresa was supporting Plaintiff and his family by sending them money in envelopes; and

(d) That Defendant Teresa entered into a scheme with Plaintiff whereby Plaintiff would use fraudulent credit cards with which to purchase airline tickets; and

(e) That Plaintiff and Defendant Teresa entered into a separate fraudulent scheme whereby Plaintiff would use fraudulent credit cards with which to rent expensive cars which they would then take to Boston for transshipment to Haiti and Antigua.

21. That, sensing the interest that his fictions, fabrications, lies and stories generated, Defendant Teresa thereupon undertook, in collaboration with Defendant Thomas C. Renner, to create and publish a book about his alleged, but non-existent, life in the Mafia.

22. That, in the creation of same, Defendant Teresa gave full vent to his fantasies, adding lie upon lie, fiction upon fiction, and embellishment upon embellishment, until that which evolved has the appearance of a biography.

23. That, in fact, the creation is pure fantasy and fiction in that Defendant Teresa pictures himself as an associate of people he has never met, as having entered into deals and transactions which never took place, as having had and spent money which he never had, as having engaged in loansharking which he never entered into, and as having engaged in businesses which he never had anything to do with.

24. That, in fact, Defendant Teresa's life of crime never rose above that of a petty criminal, that he never had any money or any funds of substance, and that he never lived above a subsistence level and that he never knew or dealt with any professional criminals.

25. That, in collaborating with Defendant Renner, aforesaid Defendant Teresa furnished him with statements about Plaintiff appearing in paragraph 5 of the first cause of action hereinabove which are incorporated herein by reference thereto.

26. That, at the time Defendant Teresa made the statements, he knew them to be false and made them knowing of their damaging effect upon Plaintiff, Plaintiff having been damaged by same in the amount of \$ 4,000,000.00.

27. That the statements aforesaid were made wantonly, maliciously and recklessly by reason of which Plaintiff is entitled to punitive damages of \$ 4,000,000.00.

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WHEREFORE, Plaintiff prays judgment against all Defendants for \$ 4,000,000.00 compensatory damages and against Defendant Teresa for an additional \$ 4,000,000.00 punitive damages, for costs, interests and other relief deemed equitable in the premises.

Robert L. Cardillo

Robert L. Cardillo

Plaintiff

P. O. Box 1000
Lewisburg, Pa.
17837

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT L. CARDILLO,
Plaintiff

vs.

CIVIL NO. _____

DOUBLEDAY AND COMPANY, INC.,
THOMAS C. REIMER, VINCENT
TERESA, and FAWCETT PUBLI-
CATIONS doing business as
TRUE MAGAZINE

Defendant

MOTION

Plaintiff moves the Court for an order directing the United States Department of Justice to make service of process upon the Defendant, Vincent Teresa.

This motion is based upon Rule 4 of the Federal Rules of Civil Procedure and the fact that the Government has and keeps Vincent Teresa in protective custody and keeps his whereabouts hidden from the Plaintiff, and that without the order Plaintiff has no means of effecting service of process upon Defendant Teresa.

Robert L. Cardillo
Plaintiff

P. O. Box 1000
Lewisburg, Pa.
17837

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT L. CARDILLO,
Plaintiff

vs.

CIVIL NO. _____

DOUBLEDAY AND COMPANY, INC.,
THOMAS C. ROSSER, VINCENT
TERESA, and MARCETT PUBLI-
CATIONS doing business as
TRUE MAGAZINES

ORDER

Based upon the foregoing motion and good cause appearing, it is hereby ordered that the United States Department of Justice designate a person to serve the Defendant Teresa, and that said person serve summons upon Teresa in the manner prescribed by law.

By Order of the Court

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK



ROBERT L. CARDILLO,

Plaintiff,

-against-

DOUBLEDAY AND COMPANY, INC.,
THOMAS C. RENNER, VINCENT TERESA,
and FAWCETT PUBLICATIONS, doing
business as TRUE MAGAZINE,

Defendants.

A N S W E R

73 Civ. 1520

Defendants, Doubleday and Company, Inc., ("Doubleday")
and Fawcett Publications, Inc., doing business as True Magazine,
("Fawcett"), (hereinafter collectively referred to as the
"Defendants") by their attorneys, Satterlee & Stephens, for their
answer to the complaint allege upon information and belief as
follows:

FIRST: Deny knowledge or information sufficient
to form a belief with respect to the truth of the allegations
contained in paragraphs "1" and "2" inclusive, except defendant
Doubleday admits that it is a domestic corporation and defendant
Fawcett admits that it is a Delaware corporation doing business
in New York.

SECOND: Deny each and every allegation contained
in paragraphs "3" and "4" inclusive, except admit that the
complaint pleads damages in excess of \$10,000 and that the
complaint alleges diversity of citizenship between the plaintiff
and the defendants.

THIRD: Deny each and every allegation contained
in paragraph "5" except admit that defendant Doubleday published
a book entitled "MY LIFE IN THE MARIA".

EX. B

FOURTH: Deny each and every allegation contained in paragraph "6".

FIFTH: With respect to paragraph "7" repeats and realleges each and every denial and admission heretofore pleaded in answer to paragraph "5" with the same force and effect as if fully set forth herein at length.

SIXTH: Deny knowledge and information sufficient to form a belief with respect to the truth of the allegations contained in paragraph "8" except admit that the defendant, Thomas C. Renner is a professional journalist specializing in crime reporting and underworld activities and upon information and belief, the defendant Renner checked and verified the statements appearing in "MY LIFE IN THE MAFIA".

SEVENTH: Deny each and every allegation contained in paragraph "9".

EIGHTH: With respect to paragraph "10", repeats and realleges each and every denial and admission heretofore pleaded in answer to paragraph "5" with the same force and effect as if fully set forth herein at length.

NINTH: Deny each and every allegation contained in paragraph "11" except defendant Fawcett admits that it published in True Magazine certain statements relating to the plaintiff and defendant Fawcett begs leave to refer to said articles appearing in True Magazine for an accurate statement of what was contained therein.

TENTH: Deny each and every allegation contained in paragraph "12".

ELEVENTH: Deny knowledge and information sufficient to form a belief with respect to the truth of the allegations contained in paragraphs "13" through "27", inclusive.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE:

TWELFTH: The plaintiff's complaint fails to state a cause of action upon which relief could be granted.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE:

THIRTEENTH: The defendants are informed and believe and, therefore, allege that the purported defamatory statements about which plaintiff complains in his complaint are each and all of them, in their natural and ordinary meaning, true in substance and in fact.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE:

FOURTEENTH: The allegedly libelous statements pleaded in plaintiff's complaint were published by defendants, Doubleday and Fawcett, due to said defendants interest and concern with each of the persons mentioned in "MY LIFE IN THE MAFIA" or in the serialization which appeared in True Magazine, which said persons, because of their occupations, positions, affiliations and status, etc., were in the public eye and said statements were made to the public generally, concerning public figures and relating to matters of true public interest. Said defendants did not falsely and maliciously and with knowledge of the falsity or substantial doubt as to the truth publish, sell or disseminate any material concerning the plaintiff. Furthermore, the statements made related to matters of public interest and concern and were fair comment upon such matters of public interest and concern, and

were made without malice and based upon facts which defendants believe to be true. Defendants allege that they were acting within the rights guaranteed to them by the First Amendment to the Constitution of the United States and that all matters relating to the plaintiff mentioned in any publication by the defendants were protected by the First Amendment.

WHEREFORE, defendants demand judgment dismissing the plaintiff's complaint herein together with costs and disbursements and for such other and further relief as may be just and proper.

Dated: May '4, 1973

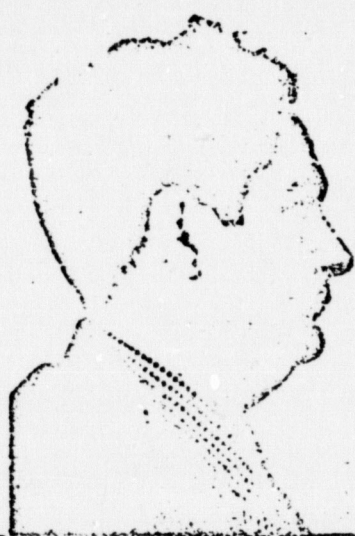

Yours, etc.,

SATTERLEE & STEPHENS

By

Edward M. Satterlee

A Member of the Firm
Attorneys for Defendants,
Doubleday and Company, Inc.,
and Fawcett Publications, Inc.
doing business as True Magazine
Office & P.O. Address
277 Park Avenue
New York, New York 10017
Tel. No. 826-6200

NAME (Last name first) JOHN J. ...		NICKNAME OR ALIAS		GROUP	RANK	SEX Male	MBID 12345	
 				ADDRESS				
				CITY		TELEPHONE		
				HT.	WGT.	HAIR	EYES	DESCENT
				COMPLEXION, MARKS, SCARS, TATTOOS, ETC.				
				BIRTHDATE 4-8-32		TYPE ACTIVITY		FBI # 98765
SSN				ASSOCIATES ...				
VEHICLE(S) (Year-make-body-type-colors-license no.)								
OCCUPATION		BUSINESS ADDRESS		CITY		BUSINESS PHONE		
HANGOUTS								
MISC. INFO. (*additional addresses)								

REDUCTION RATIO

24 - 1

31



Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC SAFETY
BUREAU OF IDENTIFICATION
1010 COMMONWEALTH AVENUE, BOSTON 02215

Commissioner Leo L. Linn, Jr.

The following is a transcript of the record, for official use only, including the most recently reported data, as shown in the Bureau of Identification.

*INDICATES LINES AFFECTED BY FINGERPRINTS IN THIS BUREAU.
OTHER LINES ARE FURNISHED ONLY AS INVESTIGATIVE LEADS.

Robert J. Roth
Superintendent of Identification

MBX 130773 FBI 820433 B PAGE 11

- * 1-14-50 ROBERT CARDINIO, 30 CROSS ST., BOSTON, MASS. (11070)
4-8-32 BOSTON; M; 5-8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 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3174, 3176, 3178, 3180, 3182, 3184, 3186, 3188, 3190, 3192, 3194, 3196, 3198, 3200, 3202, 3204, 3206, 3208, 3210, 3212, 3214, 3216, 3218, 3220, 3222, 3224, 3226, 3228, 3230, 3232, 3234, 3236, 3238, 3240, 3242, 3244, 3246, 3248, 3250, 3252, 3254, 3256, 3258, 3260, 3262, 3264, 3266, 3268, 3270, 3272, 3274, 3276, 3278, 3280, 3282, 3284, 3286, 3288, 3290, 3292, 3294, 3296, 3298, 3300, 3302, 3304, 3306, 3308, 3310, 3312, 3314, 3316, 3318, 3320, 3322, 3324, 3326, 3328, 3330, 3332, 3334, 3336, 3338, 3340, 3342, 3344, 3346, 3348, 3350, 3352, 3354, 3356, 3358, 3360, 3362, 3364, 3366, 3368, 3370, 3372, 3374, 3376, 3378, 3380, 3382, 3384, 3386, 3388, 3390, 3392, 3394, 3396, 3398, 3400, 3402, 3404, 3406, 3408, 3410, 3412, 3414, 3416, 3418, 3420, 3422, 3424, 3426, 3428, 3430, 3432, 3434, 3436, 3438, 3440, 3442, 3444, 3446, 3448, 3450, 3452, 3454, 3456, 3458, 3460, 3462, 3464, 3466, 3468, 3470, 3472, 3474, 3476, 3478, 3480, 3482, 3484, 3486, 3488, 3490, 3492, 3494, 3496, 3498, 3500, 3502, 3504, 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3838, 3840, 3842, 3844, 3846, 3848, 3850, 3852, 3854, 3856, 3858, 3860, 3862, 3864, 3866, 3868, 3870, 3872, 3874, 3876, 3878, 3880, 3882, 3884, 3886, 3888, 3890, 3892, 3894, 3896, 3898, 3900, 3902, 3904, 3906, 3908, 3910, 3912, 3914, 3916, 3918, 3920, 3922, 3924, 3926, 3928, 3930, 3932, 3934, 3936, 3938, 3940, 3942, 3944, 3946, 3948, 3950, 3952, 3954, 3956, 3958, 3960, 3962, 3964, 3966, 3968, 3970, 3972, 3974, 3976, 3978, 3980, 3982, 3984, 3986, 3988, 3990, 3992, 3994, 3996, 3998, 4000, 4002, 4004, 4006, 4008, 4010, 4012, 4014, 4016, 4018, 4020, 4022, 4024, 4026, 4028, 4030, 4032, 4034, 4036, 4038, 4040, 4042, 4044, 4046, 4048, 4050, 4052, 4054, 4056, 4058, 4060, 4062, 4064, 4066, 4068, 4070, 4072, 4074, 4076, 4078, 4080, 4082, 4084, 4086, 4088, 4090, 4092, 4094, 4096, 4098, 4100, 4102, 4104, 4106, 4

24 - 1

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF PUBLIC SAFETY

BUREAU OF IDENTIFICATION

1010 COMMONWEALTH AVE., BOSTON 02215

Commissioner Leo L. Laughlin

The following is a transcript of the record, for official use only, including the most recently reported data, as shown in the State Bureau of Identification

*INDICATES ITEMS VERIFIED BY FINGERPRINTS IN THIS BUREAU.
OTHER ITEMS ARE FURNISHED ONLY AS INVESTIGATIVE LEADS.

Robert J. Roft
Supervising Identification Agent

REF 130793 REF 833433 PAGE 2

*11-3-56 ROBERT CAROTINO, 492 COMMERCIAL ST., BOSTON, MASS.
4-8-39 BOSTON; MA, 5-30, 210, GR HAIR, BIR EYES, MED COAT, STEEL RING
FRUIT PADDLE; ITALIAN BROTHER;
BENJAMIN & MYRTLE (CAROTINO); ADELINA (SWEETERY)
PD BOSTON, MASS; 130632; SP, LARG, OVER 3000. SIGNED WRITER AND RELEASED; (ARR BERRY
CUNNINGHAM)

*11-7-56 ROBERT CAROTINO, 492 COMMERCIAL ST., BOSTON, MASS. (PHOTO)
4-10-32 BOSTON, MASS; MA, 5-30, 210, BIR HAIR, BIR EYES, BK COAT, HEAVY BLD
SUSPICIOUS ID
BENJAMIN AND MYRTLE
PD WATERTOWN, MASS; 130632, SP RELEASED; (ARR SGT. R. KRYER)

*2-22-57 ROBERT CAROTINO, 492 COMMERCIAL ST., BOSTON, MASS. (PHOTO)
4-10-32 BOSTON, MASS; MA, 5-30, 210, BIR HAIR, BIR EYES, BK COAT
FRUIT
BENJAMIN & MYRTLE (CAROTINO)
PD BOSTON, MASS; 130632 SUSPICIOUS PERSON, BREAKING AND ENTERING NIGHT, RELEASED (ARR
INSTRUCTIONS)

*12-19-58 ROBERT L. CAROTINO, 492 COMMERCIAL ST., BOSTON, MASS.
4-10-32 BOSTON; MA, 5-30, 220; BK BIR HAIR, BIR EYES, HEAVY BLD, MED COAT
FRUIT PADDLE, SUSPICIOUS ID;
BENJAMIN & MYRTLE (CAROTINO); ADELINA
PD WATERTOWN, MASS; 130632; LARG (UNDER 3000) DIST CRT 1-14-59 COMP'D UNTIL 1-14-59
shop lifting at warrental pharmacy, did steal transistor radios
ACCREDITED: CAROTINO, CLINTA AND EDWARD J. BERNARDI

DIST 1-10-59 TO: PD WATERTOWN, MASS; DISP; PD MEDFORD, MASS; PHOTO; PD WATERTOWN, MASS;
PD BOSTON, MASS; POP; PD BROOKLINE, MASS; FILE (4) (12)

*3-14-59 ROBERT L. CAROTINO, 492 COMMERCIAL ST BOSTON (PHOTO)
4-8-32 BOSTON, MA, 5-30, 220, HAZEL EYES, CHEST HAIR, STOUT BL,
MED COAT
PROBLEM -

BENJAMIN & MYRTLE (CAROTINO) - ADELINA (SWEETERY)
PD BOSTON MASS, 1306110; 1077ERY SHUTTING UP & FROM, 9200. FINE BOSTON MUN CH

ONLY COPY AVAILABLE

REDUCTION RATIO

24 - 1

The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC SAFETY
BUREAU OF IDENTIFICATION

1010 COMMERCIAL AVENUE, BOSTON 02215

Commissioner Leo L. Laughlin

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OTHER ITEMS ARE FURNISHED ONLY AS INVESTIGATIVE LEADS.

Robert J. Roth
Supervising Identification Agent

FBI 130793 FBI 838433 PAGE PP 3

4-12-59 ROBERT L. CARROLL, 192 COMMERCIAL ST BOSTON MASS
4-8-32 BOSTON MA, 5-10, 210, BRO EYES, BRO HAIR, SKY BLD,
DK COIP

BENJAMIN A. HARRIS - ALBANY (CONVICTION)
* ID BOSTON 1-31, 1961, BOSTON 3-11, 12-20-50 BOSTON MA CHG,
VIOL PROB HARRIS, BRO. FINE PAID, IMPROVING TAC, ON FILE,
FULL IDENTIFICATION

DET 12-11-60 10: RETURN, FILE (1), (2)

4-17-61 ROBERT L. CARROLL, 24 ST JOHN ST., BOSTON MASS
4-8-32 BOSTON MASS, 5-10, 210, BRO HAIR, BRO EYES
POOR FRONT

U.S. MARSHAL BOSTON 1-31, 1961, FINE PAID ON BOND TO STATE CASE 6-23-61 1 YR HOUSE OF
CORR 2 YRS BOND & F. 1961 1-31 FINE 1961 PD

DET 9-30-65 10: RETURN, FILE (1), (2)

4-25-61 ROBERT L. CARROLL 192 COMMERCIAL ST., BOSTON, MASS
4-8-32 BOSTON, MASS. 5-10, 210, BRO HAIR, BRO EYES, SKY BLD, BRO COIP, SKY
HAIR

(CO) CARROLL

(FBI) BOSTON & ALBANY

ID BOSTON, MASS. 1961, 1961 10: RETURN 10: CHIEF (ARR BY OFFICER HARRIS)

4-25-61 ROBERT L. CARROLL 192 COMMERCIAL ST. BOSTON, MASS.
4-8-32 BOSTON, MASS. 5-10, 210, BRO HAIR, BRO EYES, SK. COIP, SKY BLD,
(CO) CARROLL

(FBI) BOSTON & ALBANY 10: RETURN 10: CHIEF

ID BOSTON, MASS. 1961-67 10: RETURN 10: CHIEF (ARR. BY DET HALEY)

DET 2-17-67 10: RETURN FILE (1): (2):

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Committee member Leo L. Leug, Jr.

1010 COMMONWEALTH AVE., BOSTON 02215

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Robert J. Roth
Supervising Identification Agent

PAGE 17903 1

7-6-49 BOSTON CMT CCCCNY PHN ST 5, PD

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COMMUNICATIONS SECTION

DEPARTMENT OF PUBLIC SAFETY
BUREAU OF INVESTIGATION
1010 COMMONWEALTH AVE. BOSTON 02215

Commissioner Leo L. Laughlin

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Robert J. Roth
Supervising Identification Agent

7-17-49 BOSTON CRT COCKEY PUB ST 15. PD
7-16-49 BOSTON CRT COCKEY PUB ST 10. PD
7-25-49 BOSTON CRT COCKEY PUB ST 15. PD
7-29-49 BOSTON CRT COCKEY PUB ST 10. PD
1-17-50 BOSTON CRT COCKEY PUB ST 10. PD
1-31-50 BOSTON CRT COCKEY PUB ST 10. PD
2-21-50 BOSTON CRT COCKEY PUB ST 10. PD
6-1-50 BOSTON CRT COCKEY PUB ST 15. PD
6-3-50 BOSTON CRT COCKEY PUB ST 15. PD
6-7-50 BOSTON CRT COCKEY PUB ST 15. PD
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6-9-50 BOSTON CRT COCKEY PUB ST 15. PD
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The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC SAFETY
BUREAU OF INVESTIGATION

Commissioner Leo L. Laughlin

1010 COMMONWEALTH AVE., BOSTON 02215

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Robert J. Roth
Supervising Identification Agent

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3-26-53 BOSTON. CRT DEF REC 12-5-52 35. PD
3-26-53 BOSTON. CRT DEF REC 12-22-52 35. PD
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5-20-53 CHAMBERLAIN. CRT DEF REC 3-31 CASE 350. PD
11-5-53 BOSTON. CRT DEF REC 35.
6-4-54 QUINCY CRT DEF REC 310. PD
6-4-54 QUINCY CRT DEF REC 35. PD
2-5-55 BOSTON. CRT DEF REC 2-11 10
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Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC SAFETY
BUREAU OF IDENTIFICATION

1010 COMMONWEALTH AVENUE, BOSTON 02215

Commissioner Leo L. Laughlin

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Robert J. Roth
Superintendent Identification Section

FILE 134743, FILE 635433 R

FILE 134743 R

- 1-15-66 REQUEST FOR INFORMATION ON ROBERT L. GAMBINO FOR 4-8-32
- 1-16-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO FOR 4-8-32
- 12-3-65 REQUEST FOR INFORMATION ON ROBERT GAMBINO
- 2-11-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO
- 3-25-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO
- 4-26-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO FOR 4-8-32 BOSTON, MASS.
- 6-7-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO
- 7-19-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO 102 MITCHELL ST., BOSTON, MASS. FOR 4-8-32
- 10-5-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO 102 MITCHELL ST., BOSTON, MASS. FOR 4-8-32
- 11-2-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO 102 MITCHELL ST., BOSTON, MASS. FOR 4-8-32
- 11-8-66 REQUEST FOR INFORMATION ON ROBERT GAMBINO 102 MITCHELL ST., BOSTON, MASS. FOR 4-8-32
- 2-26-67 REQUEST FOR INFORMATION ON ROBERT L. GAMBINO
- 2-17-67 141

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT L. CARDILLO,

Plaintiff

vs

DOUBLEDAY AND COMPANY, et al

Defendants

73 Civil 1520

ANSWER TO INTERROGATORIES

S I R (S) :

PLEASE TAKE NOTICE that, pursuant to Rule 33 of the Federal Rules of Civil Procedure, Plaintiff, Robert L. Cardillo, hereby serves upon Satterlee & Stephens, attorneys for Defendants, at 277 Park Avenue, New York, New York 10017, the following sworn answers to interrogatories which were served upon Plaintiff on Monday, June 25, 1973:

1. My name is Robert L. Cardillo and I am 42 years of age.
2. I have never been known by any name other than Robert L. Cardillo.
3. (a) I am presently incarcerated and reside at the United States Penitentiary, Lewisburg, Pennsylvania. My domicile is 152 Lincoln Street, Revere, Massachusetts.

(b) From 1953 until 1958 I resided on Commercial Street in Boston, Massachusetts. My next residence, from 1958 until 1962, was on Hawthorne Street, Roslindale, Massachusetts. After moving from Roslindale in 1962, I resided at an apartment which I rented in Saugus, Massachusetts until sometime in 1964, the address of which I do not recall. I have resided at the Lincoln Street address provided above in answer 3(a) since moving there from Saugus during the year 1964.

EX. D

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4. I am presently serving an aggregate total of twenty-one (21) years imprisonment in the United States Penitentiary, Lewisburg, Pennsylvania. This sentence is being served as a result of the following convictions and sentences:

(a) A conviction for stolen securities in the United States District Court for the Southern District of Florida, which conviction resulted in a fifteen (15) year sentence imposed by the Honorable Joe Eaton; and

(b) A conviction in the Southern District of Florida for bail-jumping, which conviction resulted in a three (3) year term imposed by the Honorable William O. Mehrgens; and

(c) A conviction in the District of Maryland for bail-jumping, which conviction resulted in a three (3) year sentence imposed by the Honorable Edward S. Northrop; and

(d) A conviction in the District of New Hampshire for conspiracy and interstate transportation of stolen securities, which conviction resulted in a five (5) year sentence imposed by the Honorable Hugh H. Bowmes.

5. I have no detainers lodged against me, and this leads me to believe that I have no further criminal prosecutions pending against me.

6. I have read a copy of the book entitled MY LIFE IN THE MAFIA by Vincent Teresa and Thomas C. Renner.

(a) I read MY LIFE IN THE MAFIA during the month of March, 1973.

(b) I borrowed a copy of the book entitled MY LIFE IN THE MAFIA from an inmate at the United States Penitentiary, Lewisburg, Pennsylvania.

(c) I have not purchased a copy of MY LIFE IN THE MAFIA.

(d) I have never received a copy of MY LIFE IN THE MAFIA with the exception of a temporary loan of said book to me by a fellow inmate.

(e) I do not have a copy of MY LIFE IN THE MAFIA in my possession.

7. No. I have never read copies of the chapter serialization of MY LIFE IN THE MAFIA which appeared in the March and April, 1973 issues of TRUE MAGAZINE. Since I have not read these serializations or, in fact, seen them, questions 7(a) through 7(e) do not apply.

8. With exception made to the book entitled MY LIFE IN THE MAFIA, which I read during the month of March, 1973, the only accounts which I have read which pertain to the Mafia, the underworld, or organized crime are newspaper articles which may have made reference to the terms Mafia, underworld, or organized crime, and I cannot recall any specific articles or the newspapers or the dates, in which and/or on which, they may have appeared.

9. With regard to the dates and jurisdictions referred to in question number 9, I can only answer that I am incarcerated and have no way of obtaining or forwarding to you any copies of any indictments, and; further, that I have no personal record of the disposition of any charges levied against me in any of the named jurisdictions, save the information with which I have already provided you in question number 4 of this set of interrogatories. I would assume that you could obtain the desired information by contacting the Clerk of the Court in each of these jurisdictions. I am an indigent and cannot afford to pay for these records.

10. I have been convicted of receiving stolen property, occupying the street without a license for my pushcart, swimming in a restricted area, motor vehicle violations, and other minor infractions of the law which I cannot accurately recall over the years. These violations all occurred within the Commonwealth of Massachusetts, mainly the Boston area, and I cannot recall the exact dates, the names of co-defendants, or the penalties imposed. Prior to the imposition of the sentence which I am now serving, I have never been sentenced to jail or prison.

11. With respect to each of the following crimes, I have been charged with them as follows, but I cannot recall the dates, the agency which charged me, or the exact nature of each offense:

- (a) Shoplifting - I have never been charged with this offense.
- (b) Mail fraud - I have been convicted of this offense in the federal courts in both New Hampshire and Massachusetts.
- (c) Credit card fraud - I have never been charged with this offense.
- (d) Violation of "true name" law - in defraud of inn or motel - I have been charged with this crime, but I cannot recall where or when.
- (e) Receiving stolen property - I suffered a conviction for a violation of this nature in the Boston area, but I cannot recall the date or the circumstances.

12. I am acquainted with Vincent Teresa. I do not have any recollection as to our first meeting, who was present, the nature of same, or the exact date of same save that it was sometime during the year 1963.

13. I have met with Vincent Teresa on many occasions from some time in 1963 until the year 1969. I cannot recall the exact dates of any specific meetings, but he and I were frequently in each other's company for the purposes of both socializing and negotiating petty deals.

14. During the period from 1963 to 1969, when I was friendly with and well-acquainted with Mr. Teresa, I was well aware that he was involved in many petty deals, minor crimes, and small swindles, which amounted to petty theft, trickery and confidence schemes which, when successful, would net small sums of money, generally less than \$ 100. I know of these schemes and swindles and thefts from the following three sources:

- (a) I was directly involved with Mr. Teresa in several minor crimes, none of which were noteworthy or profitable; and

14 (b) Because of my close association with Mr. Teresa, he confided in me often and informed me of many of his petty deals; and

(c) Mr. Teresa's reputation with many merchants and other persons whom I knew from the streets of Boston (grocers, bartenders, restaurant owners, fuel-oil men, gas station owners, etc.) was one of a small-time swindler who was notorious for cheating businessmen and reneging on personal debts and bills, and his family was always in poverty, which was a fact that anyone who knew them could deduce by virtue of the conditions under which they lived.

The only period when this man or his family lived beyond a subsistence level was from the latter part of 1967 until the early part of 1969, when, according to his own testimony in the book entitled MY LIFE IN THE MAFIA, Vincent Teresa made some profitable gains on some rather large illegal stock swindles. Mr. Teresa was very proud of his new-found and newly-acquired ill-gotten gains and often bragged of his accomplishments in stolen securities to me, though I was never involved in any of these transactions. During this period, though, his financial prowess could not have been too magnificent, since he rented two homes in Miami, Florida and reneged payment because he did not have the money with which to meet the payments.

15. During the entire period of my acquaintance with Mr. Teresa, he never mentioned that he had ever been involved with the Mafia, the underworld, or organized crime. Further, his associations with many petty thieves and other low-lifes leads me to believe that he was never a member of any type of organization. I do know that Mr. Teresa often fantasized, and, further, that he was imprisoned at the United States Penitentiary, Lewisburg, Pennsylvania, where he met many men alleged to be members of the Mafia, the underworld, or organized crime. He very obviously has used information and rumors and stories, which he obtained from associating with these men in prison and added numerous prevarications of his own to spin a web of fantasy which has led to his freedom.

16. With respect to the allegations contained in paragraph 23 of my complaint, and in regard to Mr. Teresa's picturing himself as "an associate of people he has never met, as having entered into deals and transactions which never took place, as having had and spent money which he never had, as having engaged in loansharking which he never entered into, and as having engaged in businesses which he never had anything to do with," I will specify the following facts to establish my basis for these conclusions:

(a) Mr. Teresa claims to know Louis Greco (p. 42), Joseph Gallo (p. 84), Meyer Lansky (p. 217), Frank Profaci (p. 84), Joseph Palermo (p. 106), Salvatore (Sally the Sheik) Musmachio (p. 84), Frank (Butsey) Morelli (p. 79), Carlos (The Little Man) Marcello, (p. 24), Stefano Maggadino (p. 25), Salvatore (Charlie Lucky Luciano) Luciana (p. 25), Anthony (Fat Tony) Salerno (p. 24), Anthony (Big Tuna) Accardo, (p. 42), Phillip Bruccola (p. 44), Joseph Zerilli (p. 21), Joseph Linsey (p. 74), Sam (Momo) Giancana (p. 357), John (Sonny) Franzese (p. 132), Dino Collini (p. 217), Joseph Bonnano (p. 183), Angelo Bruno (p. 215), Frank (Frankie Shots) Abbamarcio, Jimmy Blue Eyes (p. 217), Lerner (p. 186), Pasquale Erra (p. 184), Salvatore Bonnano (p. 184), Frank Sinatra (p. 123), Dean Martin (p. 122), and Papa Doc (p. 230) in his book entitled MY LIFE IN THE MAFIA. During and throughout my entire association with Mr. Teresa, he never mentioned, or even hinted at knowing, any of these men, and I am certain that any knowledge of those men which he has come from his prison associations or from newspapers or other media.

(b) Mr. Teresa, on page 176 of the book entitled MY LIFE IN THE MAFIA, makes reference to a robbery of "three envelopes filled with diamonds and about forty grand in cash," allegedly performed by myself and Mr. Teresa at Lindenbaum's Laundromat. No such robbery ever took place. Another example of Mr. Teresa's propensity for weaving tall tales is his statement on page 115 of the book entitled MY LIFE IN THE MAFIA that, in reference to Richie Casatucci, "He said he'd pay us a

grand a month and we'd get a piece of the profits of the Ebbtide if we could keep Barboza and animals like him in line." I have known Richie Castucci for over fifteen (15) years and have frequented his Ebbtide in Revere, Massachusetts. If such a deal had ever transpired, I am sure that Mr. Castucci would have confided to me that he had a problem, since he was on much more intimate terms with me than with Mr. Teresa. On page 264 of the book entitled MY LIFE IN THE MAFIA, Mr. Teresa refers to a boat known as the Living End and claims that he "must have picked up over a million bucks in rigged card and dice games on board." I am familiar with the boat to which Mr. Teresa refers, and I never heard from Mr. Teresa or from anyone who knew him that any rigged card or dice games were played upon this boat. In fact, I have been on this boat on a few occasions, and to the best of my knowledge, no games, rigged or otherwise, were ever played upon this boat. Further, the boat was financed and was finally paid for only after burning when the insurance company settled the outstanding balance, so Mr. Teresa is very inaccurate when he states, "I paid for that boat in the first two months I had it by taking 150 grand from card players in rigged games." On page 288 of the book entitled MY LIFE IN THE MAFIA, Mr. Teresa relates an alleged stock transaction in which he purchased five million dollars worth of Gulf & Western stock from Gus Cangiano for two hundred and fifty thousand dollars to be paid Gus upon completion of the deal, and which he then turned over to a man named Bernie and an associate of Bernie's named Antonio, who in turn, was turned over to Mr. Teresa three million dollars worth of coffee futures. From the description given in the book, this man named Bernie is a personal friend of mine, and it is my own personal knowledge that this particular man refused to ever have any dealings with Vincent Teresa because Bernie told me that he knew that Mr. Teresa was a petty swindler and couldn't be trusted with a dime. This Bernie is a legitimate businessman, and no such deal ever transpired, nor was any such deal ever considered by any of the alleged parties, other than possibly by Mr. Teresa in one of his fantasies.

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Having known Mr. Teresa well over a number of years, I also know that his imagination runs rampant. This man lived in a poverty-stricken section of Massachusetts where he and his family survived at bare subsistence levels, and he associated, while I was friendly with him, only with street-level people and committed only petty and non-descript crimes. His allegations that he was on a friendly basis with many big-time hoodlums and racketeers are ridiculous. From the latter part of 1967 until the early part of 1969, I understand that he made a few stock swindles which were financially rewarding, but by the time he went to prison he had exhausted all his means and left his wife and family penniless and in debt. It is neither feasible nor reasonable to believe that he met and had this multiplicity of business dealings with with the persons of such notorious repute as he refers to throughout the book entitled MY LIFE IN THE MAFIA. The preceding passages form a portion of the basis upon which I claim, in paragraph 23 of my complaint, that Mr. Teresa pictures himself as having entered into deals which he never took part in.

(c) On page 2 of the book entitled MY LIFE IN THE MAFIA, Mr. Teresa claims to have stolen more than "\$10 million dollars for himself which he had spent on horses, women, and rich living; and had stolen another \$ 150 million for his bosses and confederates." I have known and associated with and been friendly with Mr. Teresa for a number of years, and, until the latter part of 1967, he was always short of cash, behind in his bills, committing petty crimes for food money, and generally indigent. Prior to the end of 1967, he could not possibly have spent the money which he purports to have spent in his book. Admittedly, he was reputed to have earned substantial sums in stolen securities and his lot did improve in the latter part of 1967, but this period was short-lived until he was incarcerated in 1969, by which time he had once again returned to poverty. I make these statements from my own personal knowledge and observations of Mr. Teresa's life-styles. His further allegations that certain persons, such as myself, held out money from him

which he had earned in these dealings which are strictly figments of his imagination, are foils to enable him to spin his web of fantasy and still claim to have earned this kind of money and notoriety which seems to be so important to his new-found way of life, which includes informing upon and against persons whom he does not know and against persons whom he does know as participants in schemes and crimes which never took place, all to the end that he can escape federal punishment.

(d) From the latter part of 1967 to the early part of 1969, Mr. Teresa apparently did make some money in stock swindles. During that period of time, which was the only period of time in which I knew Mr. Teresa to be in possession of any considerable quantity of money, he entered into a partnership with a man by the name of Joe Black. Their agreement, according to what I was told by each of these men individually, was to institute and maintain both a shylocking and bookmaking operation. However, this business venture fell through and never came to pass, as Joe Black kept the proceeds which Mr. Teresa fronted to him and swindled Mr. Teresa by providing him with a phony list of fictitious names of alleged borrowers and bettors. This fact precludes any statements by Mr. Teresa regarding his operation of a shylocking concern, and further, it is exemplary of the charge which I make in paragraph 23 of my complaint that "defendant Teresa pictures himself ... as having engaged in businesses which he never had anything to do with." He has, in fact, never engaged in either shylocking or bookmaking, as he claims.

17. The following statements made about me by Vincent Teresa in the book entitled MY LIFE IN THE MAFIA are false:

(a) On page 137 of said book, Mr. Teresa states that he and I and a man by the name of "Fat Mike" hijacked a trailer and delivered same to a warehouse in Everett, Massachusetts, where we discovered that the load was not liquor but bread, and that consequently we just left the unwanted load there in Everett; and

(b) On page 138 of said book, Mr. Teresa accuses me of being involved with him in the hijacking of a load of liquor in concert with an unidentified black man, and further states that this load contained bottles with tax stamps from the State of Virginia, which meant that we had to peddle this load a few bottles at a time; and

(c) On page 148 of the said book, Mr. Teresa makes the statement that I am "a compulsive thief," and further states that I can't "walk into a department store without stealing something." These two statements are totally unfounded, and you will find that the record shows that I have never been either convicted or charged with shoplifting. Also on page 148, Mr. Teresa makes reference to the theft of a bedroom set from the display window of White's Department Store and claims that I was the perpetrator. There is no truth to this statement, and I do believe that I have ever been in White's Department Store; and

(d) On page 149 of said book, Mr. Teresa charges that I enlisted the aid of a police lieutenant to cheat an insurance company in regard to a robbery at my home, and that when I collected the insurance settlement, that I gave this unidentified lieutenant "a piece of the pie." I have never settled an insurance claim with respect to a robbery at my home, and therefore, it should be obvious that I could not have split the proceeds of such a claim; and

(e) On page 149 of said book, Mr. Teresa claims that, "We sent him (an unidentified police lieutenant) to the Thunderbird Hotel in Miami. When you get there," I allegedly told him, "We'll check you in. You just sign a phony name when you register." Further allegations on this same page 149, state that the lieutenant and his friends, "beat the place for more than eighteen hundred bucks." These statements are blatantly false; and

(f) On pages 160 and 161 of said book, Mr. Teresa claims that I participated in the doping of horses in the Constitution Handicap on June 3, 1968. The fact is that I did not even attend that race; and

(g) On page 162 of said book, Mr. Teresa makes further allegations with reference to the running of the June 3, 1968 Constitution Handicap, stating that I injected the horses with depressants, paid the stable boys to "take a walk" and earned over forty thousand in bets; and

(h) On page 176 of said book, Mr. Teresa makes the claim that he and I and Butch Rossi robbed the Lindenbaum's Laundromat of three envelopes containing diamonds and over forty thousand dollars in cash, and further, that we were ordered to "Go ahead" by Henry Tameleo only five minutes after the alleged execution of Hughes and Lindenbaum; and

(i) On page 181 of said book, Mr. Teresa states that I "bought airline tickets by the bucketful and sold them to suckers at discounts;" and

(j) On page 195 of said book, Mr. Teresa makes the following untrue statements about me: "Bobby's about six foot, weighs in at about 260 pounds. He's a real greaseball. By that I mean, he's not from the old country, but he came from poverty and he shows it. He had to live with fifteen other people in the same room when he was a kid." He further claims that "Tameleo sent Cardillo to me." None of these statements even approach the truth; and

(k) On page 195 and 196 of said book, Mr. Teresa claims that he and I "made close to a half million bucks stealing toys from this warehouse ..." This is blatantly false; and

(l) On page 196 of said book, Mr. Teresa makes the statement that, "One of his favorite gimmicks was to swipe packages waiting for other customers at Jordan Marsh's..." in reference to me; and

(m) On page 196 of said book, Mr. Teresa makes the representation that I hated my first wife, Adeline, and further, that every two years I'd buy her a new car so that my kids could ride around in a Cadillac. My first wife, Adeline, has never owned a Cadillac, and I certainly have never hated her; and

4

(n) On pages 196 and 197 of said book, Mr. Teresa makes the representation that he and I operated "crooked card and dice games" at the Thunderbird in Miami Beach, and that after each one of these games we would "whack everything up with everybody there, maybe thirty or forty mob guys ... " ; and

(o) On page 197 of said book, Mr. Teresa makes the representation that I made use of expensive rented cars for "weeks on end" by using stolen or counterfeited credit cards; and

(p) On page 215 of said book, Mr. Teresa makes the representation that I sometimes worked as a "cool-off man" for him; and

(q) On page 235 of said book, Mr. Teresa states that he and I were running junkets at the Lucayan Beach Hotel-Casino; and

(r) On page 249 of said book, Mr. Teresa makes the representation that Henry Tameleo sided with me on a deal when I allegedly "chisled Art Ventola on a split of hot goods;" and

(s) On page 269 of said book, Mr. Teresa makes the representation that one Fred Sarno and I were in possession of fifty-three thousand dollars worth of Jefferson City School Bonds which had been stolen from "the mails at Kennedy Airport in New York by a gang of thieves;" and

(t) On page 285 of said book, Mr. Teresa makes the representation that, before his conviction, he and I "had begun dealing with Gus Cangiano;" and

(u) On pages 286 and 287 of said book, Mr. Teresa makes the representation that I took part in a proposed swindle involving himself, Bernard Berman and Gus Cangiano, in which we allegedly took control of both a London and an Alaskan insurance company by using stolen securities for collateral and then proceeded to milk the two companies dry; and

(v) On page 295 of said book, Mr. Teresa states that I would never had gotten away with his money if Henry Tameleo had not gone to jail. In reality, when he went to jail, Mr. Teresa owed me money for small loans which I had proffered to him for the purpose of meeting household bills; and

(w) On page 336 of said book, Mr. Teresa makes the statement that, referring to my January, 1972 trial in District Court in Boston, Massachusetts, "I found out that Cardillo had called the judge a bum during the trial..." It is simply a matter of record that this is not so and this can be verified from the transcript; and

(x) On page 336 of said book, Mr. Teresa makes the statement that, in reference to my January, 1972 trial in District Court in Boston, Massachusetts, he had told the truth with respect to his testimony. It is a matter of record that the jury did not even believe him and that I was exonerated despite his erroneous testimony.

18. All the statements, claims, and representations delineated in answer to Interrogatory number 17 were and are wanton in that they do not reflect the truth, malicious because they have damaged me and brought scorn and shame to myself and my family, and reckless because they are incriminating without just cause.

19. Yes. My name has been mentioned in material written about the Mafia and organized crime.

20. MY LIFE IN THE MAFIA - book - 1973 - I have no copy.

TRUE MAGAZINE - March & April 1973 - I have no copy.

Organized Crime - Stolen Securities Hearings before the permanent Subcommittee on Investigations of the Committee on Government Operations - United States Senate Publication of the Ninety-Second Congress - First Session - June 8, 9, 10, and 16, 1971. I have a copy. These are the only printed articles about which I have any knowledge pursuant to the mention of my name in connection with organized crime or the Mafia.

21. I have already delineated the extent of my criminal record to the best of my knowledge in my answers to Interrogatories numbers 9, 10, 11, of this set of Answers to Interrogatories. Newspaper accounts of some of these activities and proceedings may very well have been printed, but I have no recollection or direct knowledge of any such articles.

22. I respectfully decline to answer this question as I do not find that such an answer is at all pertinent to any of the issues at stake in this cause of action.

23. With respect to the following places in which I have been present, the dates, purpose of my presence and identity of companions who were present, the answer to each place is delineated as follows to the best of my knowledge:

(a) The Constitution Handicap is held at Suffolk Downs. I have never attended this particular race, but I have visited and frequented the Suffolk Downs Racetrack on numerous occasions and with numerous persons. I cannot recall the specific dates, but I was often there with family members such as my wife, my brother, my brother-in-law and various nephews.

(b) I have never been in the Dream Bar and do not know where it is located.

(c) I have often been in Everett, Massachusetts for the purpose of wholesaling and retailing fruits and vegetables on dates too numerous to list and/or recall. I was accompanied only by teenagers whom I would hire by the day to help me deliver and sell my goods.

(d) I have been in Jordan March's Department Store on only two or three occasions, and on these occasions I was accompanied by my wife. We went there for the purpose of shopping.

(e) I have visited Miami, Florida on vacation every year with my family from 1964 through 1970 inclusive. I stood trial in the Southern District of Florida, in Miami in 1971.

23 (f) During the years specified in (e) above, I rented rooms in the Thunderbird Motel for myself and my family while we were on vacation in Miami, Florida.

(g) I don't remember ever being in White's Department Store.

DATED: Lewisburg, Pennsylvania

July , 1973

By: *Robert L. Cardillo*
Robert L. Cardillo
Plaintiff - Pro Se

P. O. Box 1000
Lewisburg, Pa.
17837

7-11-73
7-19-73 *Robert L. Cardillo*
Parole Officer
Act of July 7, 1965, Admin-
ister oaths (18 U.S.C. 4041)

TO: SATTERLEE & STEPHENS
Attorneys for Defendants
Doubleday and Co., Inc.
277 Park Avenue
New York, N.Y. 10017

RIGHTS from the Polaroid Corp. from August, 1960 to the date of his

5

ORGANIZED CRIME IN SPORTS (RACING)

HEARINGS

BEFORE THE

SELECT COMMITTEE ON CRIME HOUSE OF REPRESENTATIVES

NINETY-SECOND CONGRESS

SECOND SESSION

MAY 9-11, 15-18, 22-25, 30, 31; JUN. 1, 7, 13-15; JULY 18-20, 25-27, 1972
WASHINGTON, D.C.

PART 2 OF 4 PARTS



Printed for the use of the Select Committee on Crime
(Created pursuant to H. Res. 115)

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1973

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Stock Number 5270-01699

I pulled out a knife and put it at his throat and said I was going to slice it. And Henry came in and said, "What's this? What's going on?"

Henry says, "Get away from him. He's a good kid. Are you crazy?" I said, "He owes Richard Castucci \$1,500 and he hasn't paid."

Henry Tamello says, "I want to pay for him. I am telling you, don't bother this kid any more. He can do anything he wants in here. I want to cover his tab, pay his tab," and so forth.

I walked out of the cloakroom. Henry Tamello stayed there with the jockey maybe 15-20 minutes, and he came out, and he had a jockey that was going to pull horses for him.

"Mr. NOLDE. Those jockeys were then considered in the bag, for fixing races.

Mr. BARBOZA. Right.

Mr. NOLDE. Were there other racketeers you saw at the Ebb Tide?

Mr. BARBOZA. Many, many.

Mr. NOLDE. Could you name a few?

Mr. BARBOZA. Oh, there was Louie Grecco, Veroni Cascisco, Romeo Martin, Peter Lemoine, Frankie Arita, Joe Russo, Jackson. They all passed through there.

Mr. NOLDE. Was it a place where the mob generally hung out?

Mr. BARBOZA. Right. They would come down and see Henry Tamello and talk business over.

Mr. NOLDE. And who was Richard Castucci?

Mr. BARBOZA. Richard Castucci is a gambler. He has horses of his own. He had one horse I know, Stars and Stripes, and he had a lot to do with the racetrack.

They had another fellow down there by the name of Bobby Cadello that eventually I went to the track with. Through this relationship that they built up with the jockeys, we went near the paddock, and if a jockey walked by, Bobby Cadello climbed underneath the fence and went with the jockey. I had seen the syringe that Bobby Cadello had, and once he went inside one of the stalls and stuck a horse with the needle and slowed the horse down that was a favorite. The habit was to slow down three or four favorites and bet on the long shots.

Mr. NOLDE. You saw this happened often?

Mr. BARBOZA. Yes.

Mr. NOLDE. Where was it?

Mr. BARBOZA. Suffolk Downs.

Mr. NOLDE. Near Boston?

Mr. BARBOZA. Yes, in Revere, near Boston.

Mr. NOLDE. Were there other sports figures that you saw at the Ebb Tide?

Mr. BARBOZA. I was sitting at a table one time when Gene Conley, who was then playing for the Celtics, and Babe Parilli, he was playing pro football. He came in and I was introduced to him, Babe Parilli. And I said, "They talk about you being little," you know. I said, "You look pretty big to me." And he said, "For football I am small," you know. And he laughed.

And Henry Tamello got up from the table and said, "Excuse me." Babe Parilli and Gene Conley went in the back, went in the cloakroom, into an office in back of the cloakroom. And in that office, they went

into another about 45 minutes the Lakers with

Mr. NOLDE.

Mr. BARBOZA.

them. And

Mr. NOLDE.

Mr. BARBOZA.

Mr. NOLDE.

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Mr. BARBOZA.

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AM J. KEATING, Ohio
Chief Counsel
Chief Counsel
Counsel
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FEDERAL BUREAU OF INVESTIGATION

Date 4/6/70

VINCENT C. TERESA provided the following information:

In the Spring of 1969, probably March, and not too long before he was to go on trial in Baltimore, Maryland, he was in Florida, as was BOBBY CARDILLO. They, BOBBY and TERESA, were looking for something they could use to make some money. BOBBY and he were in an Italian restaurant on the 79th Street Causeway, Miami, Florida, "Casa Luigi," and were talking with DAVE YACABETTI of Bridgeport, Connecticut. BOBBY and he were trying to determine if YACABETTI was knowledgeable in handling stolen securities, and YACABETTI's ability to get rid of them. YACABETTI said he had a young kid in a brokerage house that he might be able to use to get rid of some securities. It is his understanding that YACABETTI had money in the "Casa Luigi."

~~CONFIDENTIAL~~
E x F

Within a week DAVE told BOBBY and him at the restaurant that the fellow he talked to them about before could produce and would do anything they wanted him to. Within a day or so BOBBY, DAVE, and he met with the fellow from the brokerage house at "Casa Luigi," TERESA now referring to his telephone book and determining that the fellow's name was BARRY LIPSKY; that BARRY's telephone number was 532-8381; that BARRY's home telephone number was 866-2466. BARRY at this time told them the name of the brokerage house for which he worked, he, TERESA, not remembering the name of the brokerage house but recalling that it was on Arthur Godfrey Boulevard, Miami Beach. BOBBY and he told BARRY that they could get securities and wanted to know what he could handle, telling BARRY that they would obtain some and take a short; that he, BARRY, should set up a phony account at the brokerage house, using a fictitious address and name from the Miami area.

That night, DAVE, BOBBY, BILL WAGGENHEIM, and he talked with TONY from Chicago, last name not recalled, but described as a white male, in his fifties, about 5 feet 6 inches tall, 200 pounds, heavy set, reddish complexion, white

3/31/70

at

File # Boston 87-

by SA JOHN F. KENNE, JR., and

SA ROBERT D. SHEEHAN

RES/gb

Date dictated

4/3/70

BS 87-

wavy hair, and always with a cigar in his mouth. He had seen TONY at the Thunderbird on many occasions previously.

TONY told them that he could put his hands on some securities and the following day gave BOBBY and him, also at the Thunderbird, \$43,000.00 in street name stock, the company name of which he could not recall.

The same day BOBBY contacted BARRY who met BOBBY and him at the Chinarama Restaurant on 79th Street Causeway, Miami, he, TERESA, signing whatever had to be signed and turning the securities over to BARRY. BARRY was told that when the sale cleared he should hold the check and not mail it; that they would pick up the check personally.

He was on trial in Baltimore, Maryland, and on a Thursday night received a call from BOBBY telling him to go down to Florida, he telling BOBBY he did not have the money. It was his recollection that for some reason his trial did not go on the following day, Friday. He returned to Boston and met BOBBY at Logan Airport sometime Friday, the next day, then making arrangements to return to Miami the following morning, which they did. BOBBY bought two round-trip tickets for Miami the following day; and on arriving in Miami, BOBBY obtained his car which he left at the airport parking lot, they then calling BARRY and meeting him just before noon or 1 PM in front of a bank that was closed at either noon or 1 PM. BARRY took him into the bank to a teller known to BARRY and introduced him, TERESA, who endorsed the check and received the \$43,000.00. They told BARRY they would be in touch with him in an hour or so, wanting to go and contact YACABETTI before they cut up the proceeds of the check. They tried to call YACABETTI at home and went to the Thunderbird, as well as the "Casa Luigi" in an unsuccessful effort to locate him.

He then contacted BARRY, met him at a submarine sandwich shop, and gave him \$6,000.00 for his end. BOBBY and he then returned to the Thunderbird where they gave

BS 87-

\$3,500.00 each to BILL WAGGENHEIM and "WILLIE D." BOBBY also paid TONY \$13,000.00 at the Thunderbird and was to give \$5,000.00 to DAVE. He was not present when DAVE was paid, BOBBY later telling him that DAVE was not too happy about his end. He thinks BOBBY took \$3,000.00 off the top for expenses and later cut up another \$1,000.00 with him.

He could not recall the names on the securities but heard TONY say something about the securities coming from a mail theft. TONY also gave him other securities which he never negotiated and which he kept in his house.

"WILLIE D" first told him, TERESA, that TONY was a "button man" in Chicago, TONY then telling him the same thing and saying that when his boss went to the can, he, TONY, stepped up in the organization. TONY also told him on one occasion that he had over \$80,000.00 on the street shylock money.

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January 24, 1961

TO: Assistant Attorney General Joseph T. Doyle
FROM: Det. Lts. Cass, Monsour and Schofield;
Det. Sgts. Fredericksen and White; and
Trooper Schneiderhan
SUBJECT: Polaroid investigation 363-898

Attached is report concerning the Polaroid investigation.

EX. G

On December 6, 1960, officials of Polaroid Corp. complained to Attorney General McCormack of larcenies of cameras and photographic equipment from their Needham plant. The Attorney General agreed to conduct an investigation because the larcenies were purported to exceed \$100,000 and involved several counties in the Commonwealth.

Prior to the Polaroid Corp. making a complaint to the Attorney General they had employed the Central Secret Service Bureau, 161 Harvard Avenue, Boston, to conduct a surveillance to determine who might be responsible for these thefts.

As a result of surveillance made by the Central Secret Service Bureau and surveillance and information gathered by your investigators, Lt. John Howland of District Attorney Byrne's office was requested in the evening of December 19, 1960, to "cover" the area around the Capitol Theatre, 1266 Commonwealth Avenue, Allston, Mass. As a result, at 7:05 p.m. Lt. John Howland and Det. William Giuseppi, of Suffolk County District Attorney's Office, arrested Elliot Machkowski and Francis Plateau.

Machkowski, operating a 1959 Chevrolet sedan, Mass. Reg. #P16-198, registered to his wife Melba Machkowski, had in the car at the time of arrest 18 packages with Polaroid labels addressed to Associated Transport Inc. and E. M. F. Camera Co., 110 Brookline Street, Cambridge, via Nichols Cambridge Express dated 12-19-60.

Plateau, operating a 1960 Rambler station wagon, Mass. Reg. #V14, registered to him, had in his wagon 12 packages with Polaroid labels addressed to Associated and to E. M. F. Camera Co., 110 Brookline Street, Cambridge, via Nichols Cambridge Express dated 12-19-60.

As the result of these arrests they were brought to Police Division 14, Brighton, and questioned by your officers.

During the questioning information was secured that led to the arrests of thirteen more individuals for larcenies and receiving stolen goods on divers days from July 1, 1960, to the date of arrest.

The following ten persons were arrested (a detailed description of each will be annexed to this report), and arraigned on December 20, 1960, in the Brighton District Court before Judge Artesani and the cases continued until January 17, 1961.

1. George Z. Toomajanian --- Larceny
2. John A. Forestier --- Larceny
3. Stanley Williams --- Larceny
4. Benjamin Benjamin --- Receiving
5. Robert F. Ryer --- Receiving
6. Melvin S. Parker --- Receiving
7. Thomas J. Lewellen --- Receiving
8. Milton Mishara --- Receiving
9. Alfred Ardolino --- Receiving
10. Robert Cardillo --- Receiving

On December 22, 1960, the following two persons were arrested and arraigned before Judge Cox in Dedham District Court.

1. Stanley J. Towski --- Larceny
2. Nicholas DiNitto --- Larceny

On December 29, 1960, the following person was arrested and arraigned before Judge Riley in Boston Municipal Court.

1. Joseph Sherman --- Receiving

The following is a resume of the offences known at this time and the statement of the defendants.

Alfred H. Ardolino - d.o.b.
55 Marlboro Street, Wollaston, Mass.

As the result of statements made by Thomas A. Lewellen to Lt. Monsour and Detective C. J. Fitzpatrick, Ardolino was questioned on December 20, 1960, at his place of employment, Massasoit Fish Company, Atlantic Avenue, Boston.

Lewellen had stated that 49 "900" Polaroid cameras had been shipped out by George Toomajanian, 24 Union Street, Cambridge, shipper at Polaroid, via Nichols Cambridge Express (Robert F. Ryer, driver) to the Handy Beer and Wine, 4 Elkins Street, South Boston, where they were received by Francis J. Flateau, 35 Lowell Street,

to Toomajianian (30 that he was later deliverhing to Machkowski at the time of their arrests). Toomajianian left the cameras with Lewellen at the latter's garage, Porter Street, Cambridge. Lewellen took 8 of these cameras to Ardolino at the latter's sandwich shop, 1517 Washington Street, Boston, leaving them with Ardolino with the understanding that Ardolino would pay \$40 each after he sold them. Trooper Richard Schneiderhan recovered 4 cameras from Lewellen's car trunk and 7 from Lewellen's garage on December 20, 1960.

When Ardolino was confronted with above statement he stated he did not know anything about 8 Polaroid cameras nor had he seen Lewellen since the funeral of the latter's grandmother some time ago. He said he left his sandwich shop and visited his girlfriend (subsequently revealed as Lewellen's aunt) from 7:30 p.m. until he returned at 10:30 p.m. when he closed his shop and went home. He stated emphatically that he did not see Lewellen on the night of December 19, 1960. After further talk with the subject he stated that Lewellen had left 8 Polaroid cameras at his place of business on the night of December 19 for a fellow in a Buick who subsequently came by the shop and took them. Ardolino said that this person was unknown to him. Ardolino again changed his story and said that if he were given three hours he would pick up the 8 cameras and return them to us.

At the Brighton District Court Lewellen stated in Ardolino's presence substantially what he had said earlier about delivering the 8 cameras to Ardolino and the \$40 per camera payment after sale by Ardolino. Ardolino did not deny this statement and again offered to pick up the 8 cameras provided he was given three hours to accomplish this. When this request was denied he promised to deliver the cameras to Fitzpatrick after his arraignment on charge of receiving stolen goods in Brighton Court on December 20. To date, Ardolino has not delivered.

Witnesses: Lt. Monsour
Det. Fitzpatrick
Lt. Cass
Sgt. White
Thomas Lewellen

Benjamin Benjamin, true name Ben Smith - d.o.b. 7-6-07
425 Washington Street, Brookline

After questioning Benjamin on several occasions during the morning of December 20, 1960, the net result was a denial by him of any implication in the Polaroid case. He was accused of selling cameras to Elliot Machkowsky by Machkowsky and denied same. Machkowsky and Flateau both implicate Benjamin and will testify as to numerous dealings with him. Central Secret Service observed Benjamin give cartons to Machkowsky on one occasion, October 15, 1960, from his car parked on Causeway Street, Boston. On the same day, Benjamin was observed taking two large boxes marked Polaroid from his car parked on Commonwealth Avenue, Allston, and placing them in Elliot Machkowsky's car.

Witnesses: Central Service Bureau
Elliot Machkowsky
Frank Flateau

Robert J. Cardillo - d.o.b. 4/8/32
24 Stellman Road, Roslindale

Above subject after questioning denies any implication in the Polaroid thefts. Machkowsky will testify to receiving wink lights, meters, etc. from Cardillo as well as picking up packages for Cardillo from Joseph's Camera Shop, Tremont Street, Boston, which had been mailed to that address by Cardillo's accomplice who was a colored man employed at Polaroid (Stanley Williams). Machkowsky will also testify to paying Cardillo for the packages received from him. Central Secret Service operator observed Cardillo taking 5 boxes from his car on Stellman Road, Roslindale, and putting them in Machkowsky's car. The boxes contained wink lights and it was on September 9, 1960. On November 9, 1960, Central Secret Service operator observed Machkowsky enter Cardillo's car and both drove to Allston Foto Shop where 10 boxes of 100 wink lights were delivered for \$650.00. (See report of Joseph Sherman.)

Witnesses: Polaroid officials
Machkowsky
Central Secret Service
Postal inspectors
Joseph Sherman

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- 5 -

Nicholas DiNitto - d.o.b. 10/16/38
6 Hill Street, Somerville

On December 22, 1960, Nicholas DiNitto was questioned by F.B.I. Agent Paul Rico and Lt. Det. Edward J. Schofield. DiNitto has been employed as a shipper by the Polaroid Corp.

As the result of interrogation, DiNitto stated that he, with John Forestier and Stanley Towski, stole cameras, film and wink lights from the Polaroid Corp. from August 1960 to the date of his arrest.

Specifically, in the first part of August 1960, he and Towski and Forestier put two cases of 110B cameras into Forestier's car which was driven to Watertown Square and turned over to an unidentified man.

He further stated that the three of them stole an unknown number of wink lights for which he got as his share \$250.00 from Forestier.

He stated he stole various items on five or six different occasions.

His description of the unknown man in Watertown Square was probably Thomas Lewellen.

Witnesses: Polaroid officials
Towski
Forestier
Lewellen
Agent Rico
Lt. Schofield
Sgt. Fredericksen

Francis J. Plateau - d.o.b. 10/14/34
438 Lowell Street, Reading

Plateau is a one leg amputee employed as shipper for the Handy Beer and Wine Co., 4 Elkins Street, South Boston.

Plateau, as noted in the first part of this report, was one of the two men arrested initially with stolen cameras in his possession at the time.

Plateau was questioned by Det. Lt. Cass and Sgt. White.

Plateau made the following admissions (taken from taped interview):

(a) Stated he received the 49 packages from Robert Ryer of the Nichols Cambridge Express on December 19, 1960, which were stolen.

(b) That he delivered 19 packages to George Toomajanian the evening of the larceny on some street, the name of which he did not know.

(c) That he was caught delivering 30 packages to Machkowsky on December 20, 1960.

(d) He stated the reason for delivery by him (Plateau) to Machkowsky was at 5:05 p.m. Ben Benjamin called him and said he could not make it and for Plateau to bring cameras to Capitol Theatre.

(e) During the past Fall Benjamin would call Plateau every day about 1 to 2 p.m. and ask him whether he had any cameras for sale.

(f) When he had cameras Benjamin would go to Handy Beer and Wine and pick them up. There usually was another man with Benjamin -- identity unknown -- probably "Joe Russell".

(g) On delivery to Ben Benjamin he would be paid the following morning.

Witnesses: Polaroid officials
Machkowsky
Ryer
Toomajanian
Nichols Cambridge Express
Lt. Howland
Det. Giuseppe
Sgt. White
Lt. Cass
Lt. Monsour
Ben Benjamin
Handy Beer and Wine Co.

Thomas C. Lewellen - d.o.b. 6/5/34
577 Franklin Street, Cambridge

Lewellen stated he owns a sandwich shop on Porter Street, Cambridge, and also is part-time employee for the Franklin Radio and TV Shop, 590 Franklin Street, Cambridge.

It was here that he met Toomajanian.

As the result of statements made by George Toomajanian, Sgt. Fredericksen and Trooper Schneiderhan went to the home of Thomas Lewellen and confronted him with statements made by Toomajanian that he had given Lewellen 19 cases of Polaroid cameras on December 19, 1960.

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Lewellen stated that on December 19, 1960, at approximately 5:30 p.m. he had received a telephone call from "George" (George Toomajian) and asked if he could put something in the garage which Lewellen rented. Lewellen agreed to let George use the garage and at approximately 6:00 p.m. George Toomajian came to Lewellen's home and took the keys to the garage. Toomajian then left. Lewellen further stated that he did not accompany Toomajian. Later that evening Lewellen went to his garage and found boxes marked "Polaroid", he became frightened because he knew they were stolen goods and he could do nothing now as they were in his garage.

At approximately 4:00 a.m. Sgt. Fredericksen and Trooper Schneiderhan went to Lewellen's garage at 230 Porter Street, Cambridge, with Lewellen. At the back of the garage on the floor were 8 boxes marked Polaroid and a partially filled box of Polaroid film. Lewellen was questioned as to where the rest of the boxes of Polaroid cameras were, as Toomajian had stated he had put 19 boxes in Lewellen's garage. At this time Lewellen stated that he did not know.

See Ardolino synopsis.

. . . . Ardolino stated Lewellen left 8 Polaroid cameras at his place of business on the night of December 19, 1960, for a fellow in a Buick who subsequently came by the shop and took them.

Ardolino said that this person was unknown to him.

He then said if he were given three hours he would pick up the 8 cameras and return them to the investigating officers.

Lewellen in Brighton District Court when confronting Ardolino stated he gave 8 cameras to Ardolino and would get \$40 per camera payment after sale by Ardolino.

Witnesses: Lt. Monscur
Trooper Schneiderhan
Sgt. Fredericksen
Ardolino

Stanley Joseph Towski - d.o.b. 2/4/38
367 Portland Street, Cambridge

On December 22, 1960, Stanley Joseph Towski was questioned by F.B.I. Agent Paul Rico, Lt. Det. Edward Schofield and Det. Sgt. Walter Fredericksen.

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As a result of interrogation, Towski stated that he, with John Forestier and Nicholas DiNitto, stole cameras, film and wink lights from the Polaroid Corp. from August 1960 to the date of his arrest.

Specifically, in the first part of August 1960 John Forestier and Nicholas DiNitto had approached him and asked if he would like to make a few extra dollars by taking some cameras, wink lights and film from the Polaroid plant. Towski agreed to do this. Their M.O. was as follows:

At 7:00 a.m. Towski and DiNitto came to work at the Polaroid plant which was an hour earlier than the other employees reported for work. At this time Towski would drive his automobile into the loading area of Polaroid. DiNitto would be up on the loading platform and hand Towski the stolen goods. Towski would put same into the trunk of his car and then drive his car over to the employees' parking lot and park his car. At 12 noon Towski and Forestier would drive to Watertown Square. At Watertown Square they would meet a friend of Forestier and transfer the stolen goods into a 1956 two-tone green Buick convertible. This friend of Forestier was described as 25 years of age, about 6 feet tall, dark hair, fair complexion. This unknown man would then pay Towski and Forestier \$250.00 for a case of 110 Polaroid cameras; \$60.00 for a case of wink lights; and \$40.00 for a case of Polaroid film. The agreement for this price was made by Forestier.

Towski further stated they have done this approximately eight times and that he received over \$2,000.00 for his efforts. That the amount of goods stolen each time was no more than 2 cases as that was all his trunk would hold; that the transfer always took place at Watertown Square with the same man and that the split of money between the three of them varied each time with Towski and Nicholas getting more than Forestier.

Witnesses: Lt. Schofield
Sgt. Fredericksen
Agent Rico
DiNitto
Forestier

7
George Z. Toomajanian - d.o.b. 5/26/26
31 Union Street, Cambridge

68

On December 20, 1960, George Z. Toomajanian was questioned by Lt. John Howland, of District Attorney Garret H. Byrne's office, and Det. Sgt. Walter Fredericksen. Toomajanian has been employed by the Polaroid Corp. for the past three years as a utility man.

As a result of interrogation, Toomajanian stated that he was approached by Frank Plateau of 438 Lowell Street, Reading, in September 1960 and was asked if he could get some Polaroid cameras, films and wink lights from Polaroid. Toomajanian said he could and further stated he conspired with Robert F. Ryer, a truck driver for Nichols Cambridge Express, to deliver the stolen goods from the Polaroid plant to Frank Plateau at the Handy Beer and Wine Co., 4 Elkins Street, South Boston.

Toomajanian further stated on Monday, December 19, 1960, he had shipped via Nichols Cambridge Express 49 cases of Polaroid cameras to Frank Plateau at the Handy Beer and Wine Co., 4 Elkins Street, South Boston.

He stated he started shipping stolen equipment from Polaroid around the first of September and had shipped about 5 cases of cameras a month up to the present date.

He stated on Monday, December 19, 1960, after work, he met Plateau and took 19 cases of the 49 cases and made arrangements with Thomas C. Lewellen, a cousin of Plateau, to put the 19 cases in Lewellen's rented garage at 230 Porter Street, Cambridge.

Witnesses: Lt. Howland
Lt. Schofield
Sgt. Fredericksen
Plateau

John A. Forestier - d.o.b. 11/20/33
19 Morrison Avenue, Somerville
Married - Wife: Carole - one child

Admitted giving about 75 blank labels to George Toomajanian since June or July in order that George Toomajanian could send out stolen merchandise. He received about \$250 from Toomajanian for the labels. Also admitted pushing skid on trucks and it contained stolen goods but didn't know how many were stolen. Admits you could tell what was stolen by looking at labels. Last time skid

Picked up cameras from drivers on Beacon Street, Somerville, during November at 7:30 p.m. from Nichols drivers for Toomajanian and dropped them off at Tom Lewellen's house. Had eleven rolls of film, a close-up kit and a filter in his home when arrested. Admitted taking film out wrapped in his uniform.

Also see report of Towski and DiNitto.

Witnesses: Lt. Cass
Lt. Monsour
Sgt. White
Ryer
Parker
Towski
DiNitto

Eliot Machkowsky -- 43 yrs. 10-14-15
1242 Commonwealth Avenue, Brighton
Married - Wife: Melba - 3 children

This man is willing to testify relative to his participation and the participation of Benjamin Benjamin, Joseph Russell or Goldberg, Francis Plateau, Jr., Milton Mishara, Robert Cardillo and Joseph Rosenthal of Joseph's Camera Shop. He is a very willing and cooperative witness.

On December 19, 1960, Machkowsky and Plateau were arrested with 30 stolen cameras in their possession.

Both Machkowsky and Plateau will testify that the sale was set up by Ben Benjamin who wanted \$60 for each camera. Machkowsky will also testify that Joseph Goldberg or Russell was with Benjamin when arrangements were made with him for the sale and Goldberg was on the sidewalk and signalled to Plateau when he arrived and told Plateau to bring the stuff to Machkowsky's car.

First met Benjamin at Suffolk Downs and sold a 110 camera for him.

On October 13 received a dozen cameras from Benjamin at \$60 each. On October 14 he received 10 cameras from Benjamin for same price. He sold 6 cameras on the 13th to Milton Mishara, 6 to Allston Photo. He sold 4 cameras to Mishara and 6 to Allston Photo on October 14.

He received wink lights and exposure meters from Robert Cardillo starting around June 1960. Made contact with Mishara at General Photo and sold him #625 light meters for \$6.25

69 each. Sold Benjamin 3 or 4 meters at \$5 each. A week later received second case of meters from Cardillo for \$5. Sold to General Photo and Allston Photo.

70 A week later Cardillo offered more light meters at \$4.00 each. Refused them as couldn't sell.

Mishara asked Machkowsky to get him shutters. Cardillo got him 15 shutters which cost Machkowsky \$15 each and he sold them to Mishara for \$16 each. Received wink lights which he sold to Mishara for \$7.00 each.

Picked up packages at Joseph's Camera Shop for Cardillo. Packages contained film.

Cardillo informed Machkowsky he had a colored man who was mailing packages from Polaroid for him. The colored man had something to do with shipping. Machkowsky sold the film to Mishara for \$80. Went back next day to Joseph's and picked up 2 cartons of film. One he saved for Cardillo and sold one carton to Allston Photo.

Had made arrangements with Milton Mishara to have cartons mailed to General Photo at Cardillo's request for a mailing address.

On first shipment to General Photo Machkowsky received \$80 and he paid Cardillo \$70. Second shipment he received \$160 and paid Cardillo \$140. Third shipment containing 4 cartons he received \$80 each for 2 cartons and \$75 each for the other two.

Witnesses: Lt. Howland
Lt. Cass
Sgt. White

Robert F. Ryer - d.o.b. 1/24/08
54 Farragut Avenue, West Somerville
Married - 2 children

Truck driver for Nichols Express. Will testify to being approached by George Toomajian to deliver stolen cartons to Frank Flateau at the Handy Beer and Wine Co., South Boston. Made two previous deliveries of 10-12 cartons and received \$100.00 from Toomajian for each delivery. He was to receive \$200 for the December 19th delivery.

Will also testify to receiving from 3 to 10 cartons from Toomajanian at Polaroid and giving them back to him at Beacon Street and Concord Avenue, Somerville, at night time on about six different occasions. Ryer would receive one carton for his trouble and would give it to Melvin Parker who would sell it for him and give him half of the proceeds.

States that John Forestier received one carton of each 3 cartons taken. Ryer also received cameras from Forestier.

Witnesses: Lt. Cass
Sgt. White

Melvin Parker - d.o.b. 4/20/30
136 Elm Street, North Cambridge
Married - 4 children

Truck driver for Nichols Express Co.

Admits to receiving about 8 cameras and some film at various times from George Toomajanian and Bob Ryer and he sold them and split the proceeds with Ryer.

Witnesses: Lt. Cass
Lt. Monsour
Sgt. White
Robert Ryer

Milton M. Mishara - d.o.b. 9/20/19
98 Beltran Street, Malden
Married - 2 children

Owner of General Photo Supply, 311 Cambridge Street, Boston.

Admits knowing Eliot Machkowsky and that he purchased about a dozen 110B cameras, about a dozen wink lights and approximately two dozen light meters from Machkowsky.

Also admits 7 cartons of film were sent to his store but denies he purchased them. He claims Machkowsky picked up the cartons for himself.

The cameras were purchased on October 13 and 14.

Witnesses: Eliot Machkowsky
Lt. Cass
Sgt. White
Sgt. Fredericksen
Central Service Bureau

Stanley Norman Williams - d.o.b. 7/9/27
421 Warren Street, Roxbury
Married - Wife: Constance -- 3 children

Employed: Special Shipper - Polaroid Co.

This man has mailed packages from the Polaroid plant although he denies any thefts or connection with any thefts.

Sold a camera to William L. DeFranzo of 138 Shepard Street, Lynn, for \$40.00 last June. Also gave a Model 800P camera and automatic shutter to DeFranzo at a later date. Subject mailed film and a camera to the above man on various dates.

Witness: DeFranzo

Joseph Sherman - d.o.b. 11/17/22
135 Spiers Road, Newton
Married - 1 child

Owner of Star Jewelry Co., 76 Essex Street, Boston

Purchased case of 625 meters in July from Cardillo.
In December bought 6 cartons film at \$40 a case on a phone call and unidentified man picked up money.

Witnesses: Lt. Cass
Lt. Monsour
Lt. Schofield
Sgt. White
Trooper Schneiderhan

Richard D. Fitzpatrick
Room 2300, Criminal Division

February 4, 1972

Edward F. Harrington, Attorney in Charge
Boston Field Office, Organized Crime
& Racketeering Section

Statistical Report Re Vincent G. Teresa

Please find enclosed statistical report reflecting the cases in which Vincent G. Teresa was involved as a witness for the federal or state government. As of this date, Teresa's testimony has resulted in twenty-seven convictions involving twenty-one individuals (Jack Mace, Daniel Mondavano and Robert Cardillo have been convicted on three separate occasions) and one individual in a fugitive status.

This statistical report does not include a recent indictment returned in the Commonwealth of Massachusetts charging thirteen individuals with conspiracy to fix horse races. These defendants include Henry Tamaleo, former underboss of the New England family; Robert Cardillo, major New England boss; and Christopher Hustons, LCN enforcer.

Any additions to this statistical report will be forwarded to you when they occur.

Enclosure

Tom you can add these to the rest of the statistics:

You can add to this list three more convictions:

1. Raymond Reid
2. Joan Harvey
3. Jack Mace

Also the other 13 indictments pending on race track violations you can get from Jack Kehoe.

We have a case pending in Fla. against Morris Finberg, which will make a grand total of forty-five convictions not counting Meyer Lansky.

<u>Name</u>	<u>Date of Indictment</u>	<u>Offense</u>	<u>Date of Verdict</u>	<u>Date of Disposition</u>	<u>District or State</u>	<u>Court of Appeals</u>	<u>Supreme Court</u>
KENNEDY, FLARIO	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
LAUATINA, JOSEPH A.	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
MACE, JACK	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
MURKIN, WILLIAM	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
MURRAY, JACK	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
NEED, RAYMOND	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
REINBERG, MARCO	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
<hr/>							
LAUATINA, JOSEPH A.	9/25/70	14 U.S.C. 2314, 2315, 371	Fugitive	15 years-1/19/71	So. D. of Fla.		
FORNABARO, DANIEL F.	9/25/70	14 U.S.C. 2314, 2315, 371	Guilty-1/19/71	5 years-10/29/71	Rule 20-D. of Md.		
MACE, JACK	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-9/22/71	Pending	So. D. of Fla.		
LOA, MARCO	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-May, 1971	5 years prob.-May, 1971	Rule 20-S.D.N.Y.		
FINKELSTEIN, EDWARD	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-9/22/71	3 years-10/29/71	So. D. of Fla.		
NEED, RAYMOND	9/25/70	14 U.S.C. 2314, 2315, 371	Pending	5 years prob.-10/29/71	So. D. of Fla.		
FINKELSTEIN, MARCO	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-9/22/71				
HARVEY, BEN	9/25/70	18 U.S.C. 2314, 2315, 371					
<hr/>							
DEMAN, EDWARD	12/3/69	14 U.S.C. 1708, 371, 2	Guilty-12/2/70	3 years-3/30/71	So. D. of Fla.		
MARTINO, EDWARD	12/3/69	18 U.S.C. 1708, 371, 2	Guilty-12/2/70	5 years-3/30/71	So. D. of Fla.		
MARTINO, EARL	12/3/69	18 U.S.C. 1708, 371, 2	Guilty-12/2/70	1 year-3/30/71	So. D. of Fla.		
<hr/>							
MACE, JACK	5/12/70	18 U.S.C. 2314, 371	Guilty-11/25/70	15 years-1/19/71	D. of Md.		
HIRSCHFIELD, JOHN A.	5/12/70	18 U.S.C. 2314, 371	Guilty-11/25/70	9 years-1/19/71	D. of Md.		
MARTINO, CARLO	5/12/70	18 U.S.C. 2314, 371	Guilty-4/14/71	9 years-6/17/71	D. of Md.		
SABO, ALFRED H.	5/12/70	18 U.S.C. 2314, 371	Not Guilty-1/27/71		D. of Md.		
FORNABARO, DANIEL F.	5/12/70	18 U.S.C. 2314, 2315, 371	Guilty-11/13/71	15 years-1/19/71	D. of Md.		
LAUATINA, JOSEPH A.	5/12/70	18 U.S.C. 2314, 371	Fugitive		D. of Md.		
SCARFELLO, ROBERT	5/12/70	18 U.S.C. 2314, 371	Pending		D. of Md.		

ONLY COPY AVAILABLE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
	:	
ROBERT L. CARDILLO,	:	73 Civ. 1520
	:	
Plaintiff,	:	
	:	
-against-	:	<u>AFFIDAVIT</u>
	:	
DOUBLEDAY & COMPANY, INC., THOMAS	:	
C. RENNER, VINCENT TERESA and	:	
FAWCETT PUBLICATIONS, doing	:	
business as TRUE MAGAZINE,	:	
	:	
Defendants	:	
-----	-x	

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

WILLIAM IVERSEN, being duly sworn, deposes and says:

1. I am a Senior Associate Editor for True Magazine, a publication of the defendant Fawcett Publications, Inc. (Fawcett). My career as a writer and editor covers a span of 19 years in association with a wide range of national magazines, such as Redbook, McCall's, Good Housekeeping, Playboy, Woman's Day, Reader's Digest, Cosmopolitan, Holiday, and Scholastic. In addition I have also served as a producer-director of overseas broadcasts for the United States Information Agency's Voice of America, and have edited into condensed form the broadcast speeches and policy statements of two Presidents and Secretaries of State for transmission abroad. Throughout my career I have never been involved in any legal action, and take pride in the sense of responsibility that has been one of the primary characteristics of my work.

2. In my capacity as Senior Associate Editor, I, in association with the Editor-in-Chief, was in charge of the serialization, by True in its March and April 1973 issues, of the book entitled MY LIFE IN THE MAFIA published by the defendant Doubleday & Company, Inc. (Doubleday) and authored by defendant Vincent Teresa (Teresa) and Thomas C. Renner (Renner). This court should be aware that the serialization contained in True was of only two chapters from the book MY LIFE IN THE MAFIA. Further, in the serialization, the plaintiff is mentioned only twice, once in the March issue and once in the April issue. The specific references in True about which plaintiff complains are as follows:

In the March issue (page 84) it is stated that the plaintiff bought forged airline tickets by the bucketful and sold them at discounts. The affidavits of Teresa and Renner submitted on this motion furnish adequate substantiation for this statement. Teresa himself has personal knowledge of the plaintiff's activities in this regard and Renner was aware of them, too, due to his investigations into credit card frauds. Furthermore, Teresa testified to these facts before the McClellan Committee.

In the April issue (page 77) it is stated that the plaintiff, along with others, did illegally dope horses at Suffolk Downs Racetrack in Massachusetts in order to fix the outcome of various races. This is substantiated not only by the

personal knowledge of Teresa as contained in the transcript of his testimony before the McClellan Committee, but also by the testimony of Joseph Barbozo, another Mafia insider turned informer, who testified before another Congressional Subcommittee. (A copy of the transcript of Barbozo's testimony is attached to the Callagy affidavit as Exhibit E). In addition, the plaintiff was indicted in Massachusetts for fixing horse races at Suffolk Downs and the only apparent reason that he was not prosecuted on this indictment is his present incarceration. (See Renner aff'd. para.4).

Thus, there is every reason to believe that the above-mentioned two statements about the plaintiff were and are true.

3. I have been advised by Fawcett's attorneys that it cannot be held liable for the alleged libelous statements about the plaintiff unless it is proved that they were published with knowledge of falsity or with reckless disregard of the truth.

4. It is the policy of True to publish newsworthy items which it deems to be of contemporary import. MY LIFE IN THE MAFIA represented the first truly inside story of the Mafia, its modus operandi and its hierarchy by the highest ranking Mafia member to break silence. It is, therefore, a book which is of overwhelming public interest.

5. The manner in which Fawcett agreed to publish this serialization was in accordance with the normal practices then and now obtaining in the field of magazine publication. Through my many years of experience in the publishing field, Doubleday's reputation has been known to me as excellent and my dealings with them have caused me to form the highest opinion of its reliability to accurately gather and verify facts and to be fair in the handling of same.

6. Before I would agree to serialize this book, I inquired of Doubleday what actions it had taken to insure that the book was true and accurate. I was advised of the procedures which are set forth in the affidavit of Doubleday's editor, Thomas Congdon, submitted herewith. In short, I was informed of the general background of Renner and Teresa; that the book had been read by Doubleday's attorneys, and that a meeting had been held with Doubleday's attorneys at which time Renner presented written substantiation for most of the statements Doubleday's attorneys felt to be potentially libelous. In addition, I was advised of Teresa's most impressive record as a federal witness and that the book had been reviewed by an elite corp of Federal and state investigative authorities, all of whom concurred that Teresa's recollection to their knowledge was accurate and truthful. With this knowledge, and with the high respect that I held for Doubleday, I felt secure that the manuscript was accurate and therefore agreed to publish the serialization.

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7. As an added precaution, however, I did submit the chapters which were to be serialized to Fawcett's General Counsel Forsythe, McGovern & Pearson, for their review. All of the information set forth above regarding Doubleday's activities in verifying this book were related to our attorneys.

8. From my personal experience in the publishing field I can unequivocally state that the procedure employed by True in publishing this serialization was and is common to most magazines in such situations. Obviously, True could not independently substantiate each serialization due to time deadlines. Therefore, in dealing with reputable and established publishing houses like Doubleday, the inquiries I made and the guarantees I received represented a standard practice then and now obtaining.

9. After my review of the substantiation done by Doubleday and after I was informed about the background of Teresa and Renner, I had no reason to believe that the statements contained in this serialization were other than true. In fact, there is adequate substantiation to show that the two statements which do appear in the Fawcett publication about plaintiff are beyond doubt true and accurate. But even if it could be shown that these statements were false, as a matter of law, it could never be held that Fawcett published them with actual malice, that is, with knowledge of their falsity or with reckless disregard of whether they were false or not.

Sworn to before me this
25th day of September, 1973

William Iverson
William Iverson

James F. Rutledge
JAMES F. RUTLEDGE
Notary Public, State of New York
For the County of New York
Commission Expires March 30, 1975

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

ROBERT L. CARDILLO,	:	73 Civ. 1520
	:	
Plaintiff,	:	
	:	
against	:	AFFIDAVIT
	:	
DOUBLEDAY & COMPANY, INC.,	:	
THOMAS C. RENNER, VINCENT	:	
TERESA and FAWCETT PUBLICATIONS,	:	
doing business as TRUE MAGAZINE,	:	
	:	
Defendants.	:	

-----X

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

THOMAS B. CONGDON, being duly sworn, deposes and says:

1. I am employed as a Senior Editor by the defendant, Doubleday & Company, Inc. ("Doubleday"). I joined Doubleday in 1971 after 15 years in publishing experience. Since then I have been personally responsible for and editor-in-charge of the publication of more than 30 trade books, one of which entitled MY LIFE IN THE MAFIA ("the book") written by Vincent Teresa ("Teresa") and Thomas C. Renner ("Renner") was published by Doubleday on March 9, 1973 .

2. MY LIFE IN THE MAFIA is the true life story of Teresa, the highest ranking Mafia member ever to defect from Mafia ranks. His revelations, related from his own personal experiences, are newsworthy and of overwhelming public interest.

3. I have been informed by Doubleday's attorneys that before Doubleday could be held liable for the publication of the statements which plaintiff claims are libelous, plaintiff must prove that the publication was made with actual malice,

CONGDON AFF'D

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that is, with knowledge on the part of Doubleday that the statements were false or that they were made with reckless disregard of whether they were true or not.

4. Before I ever recommend a book for publication, I inquire about the professional and private reputation of the author or authors. Such was the case with Renner and Teresa. After I was asked about publishing Teresa's story, I inquired about the authors and especially their background.

In regard to Renner, my investigation revealed that he was a journalist on the staff of NEWSDAY, who specialized in reporting on the activities of organized crime. His professional experience about which I was familiar prior to publication is contained in detail in the affidavit he is submitting in support of this motion.

In regard to Teresa, my investigation revealed that Teresa was a former high-ranking Mafia member who had turned witness for Federal and local authorities against various Mafia figures. I knew that the chief investigator of the McClellan Rackets Committee was quoted as saying that no man knows more about the facts of organized crime and the top men in it than Teresa. Joseph Valachi was a low level hood compared to Teresa, who was the most important money maker the mob had in New England and who answered only to Raymond Patriarca and Henry Tameleo, infamous New England Mafia bosses. I further was advised that Teresa had testified before the McClellan Committee and that the government was using him as a principal witness in numerous trials against organized crime or organized

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crime related figures. In fact, before the contract for this book was every executed by Doubleday, I was informed that Teresa's testimony had been wholly or partially responsible for forty-five convictions and, up to that time, the government had not lost one case in which he had testified. In fact we were provided, prior to publication, with a compilation of Teresa's witness record prepared by Edward F. Harrington, the Federal Strike Force prosecutor in charge of coordinating Teresa's appearance as a witness. This is additional evidence of Teresa's reliability (a copy of this compilation is attached hereto as Exhibit "A"). Also the impressive record of convictions which resulted from Teresa's testimony adds further support to his reliability and veracity.

5. With this background in mind, I requested that Renner submit an outline of the book he proposed to write. I then presented this outline to another Mafia expert, Ralph Salerno, who I was certain through past experience would be able to properly evaluate the authors and the credibility of Teresa's testimony. Salerno, after reviewing the outline, assured me that Teresa was a very important Mafia figure and that Renner was skilled, reliable and knowledgeable in the field of organized crime. With these assurances I then recommended that Doubleday enter into a contract with the authors which it did on December 13, 1971.

6. Beginning in December 1971, I took charge of this project and met regularly with Renner. On August 16, 1972, Renner delivered the completed manuscript to me. On August 17, 1972, I submitted this manuscript to Doubleday's attorneys for review with respect to problems that might be presented in the areas of libel and invasion of privacy. It was my decision to submit the manuscript for legal review, in accordance with Doubleday's policy, because I felt that Teresa's story most certainly concerned a controversial subject and would most certainly receive attention nationwide. On September 12, 1972, Doubleday's attorneys advised me that in their opinion the manuscript might present certain problems in the areas of libel and invasion of privacy. The name of the plaintiff, Robert Cardillo, was specifically mentioned in this regard. I reviewed this advice with Mr. Renner and on October 23, 1972, Mr. Renner and I met with Robert M. Callagy, a member of the firm of Satterlee & Stephens, in the latter's office. At this meeting the author furnished substantiation for the various questions that had been raised by Doubleday's attorneys, including those raised in relation to the plaintiff. This substantiation consisted of such materials as criminal records, indictment records, conviction records, and various other documents including FBI and Federal and state prosecutor's reports. In addition, Mr. Renner exhibited his personal file on various figures who are members of organized crime, as well as newsclippings from media discussing various individuals mentioned in the book.

In regard to the specific statements about which the plaintiff complains, for a few of these there was obviously

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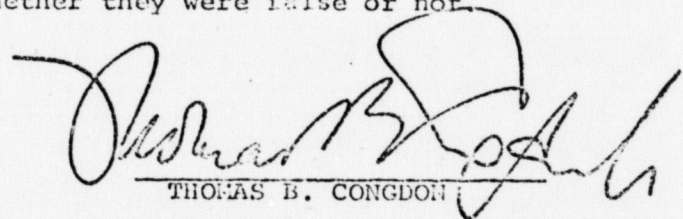
no other substantiation available than Teresa's word (which had proved accurate in forty-five convictions), because they were crimes committed by Teresa and the plaintiff together in which neither was ever apprehended. However, there was additional substantiation besides Teresa's word for the majority of the other statements, such as the plaintiff's conviction for securities fraud violations and bail jumping, indictments for horserace fixing, and his criminal record. In sum, there was no reason to believe that any of the statements made about the plaintiff were false and, in fact, I remain convinced that they are true.

7. Moreover, Mr. Renner, as is fully set forth in his own affidavit, on his own initiative submitted the manuscript for review by top officials of various Federal and state investigating and prosecuting authorities with whom he was intimate for their comments and to insure that information contained in the book about which they had personal knowledge was accurate. To a man, these individuals reported to Renner that the book was extremely accurate and if in error at all, it was only in regard to dates, not places, persons or incidents. This is further evidence of the truth and accuracy of MY LIFE IN THE MAFIA.

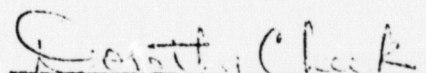
8. In my almost twenty years of experience in the publishing field, I have edited no book in which a publisher took more caution to insure the accuracy of the facts as that which was taken by the authors and Doubleday in the publication of MY LIFE IN THE MAFIA. From my experience, I know that the procedure I employed in insuring the accuracy of this book went beyond the ordinary editorial processes and precautions

which a publisher would normally employ before publishing a book.

9. Not now, or not at the time of publication, or prior thereto, did I have any knowledge or did I believe or did anyone at Doubleday have any knowledge or believe, that any statements contained in this book, and specifically those relating to the plaintiff, were false or untrue. I made every effort humanly possible before this book was published to insure that it contained only true and accurate statements. I had absolutely no reason to believe that any statements contained therein were other than true. As stated above, I remain convinced that the statements relating to the plaintiff are accurate and, at any rate, it could never be said that Doubleday published these statements with "actual malice" -- that is, with knowledge of their falsity or with reckless disregard of whether they were false or not.


THOMAS B. CONGDON

Sworn to before me this
18th day of September, 1973.


Notary Public

DOROTHY CHEEK
Notary Public, State of New York
No. 24-4503025
Qualified in Kings County
Commission Expires March 30, 1975

Richard D. Fitzpatrick
Room 2500, Criminal Division

February 4, 1972

Edward P. Harrington, Attorney in Charge
Boston Field Office, Organized Crime
& Racketeering Section

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Enclosure

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You can add to this list three more convictions:

1. Raymond Reid
2. Joan Harvey
3. Jack Mace

Also the other 13 indictments pending on race track violations you can get from Jack Kehoe.

We have a case pending in Fla. against Morris Fineberg, which will make a grand total of forty-five convictions not counting Meyer Lansky.

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Name	Date of Indictment	Offense	Date of Verdict	Date of Disposition	District of Court	Court of Appeals	Supreme Court
DE R, MARVIN T.	11/20/69	18 U.S.C. 2315	Guilty - 9/29/70	12 years - 10/14/70	D. of Mass.	Affirmed - 3/25/71 1st Circuit	cert. den. 6/14/71
ANTONELLA, ARTHUR	6/25/70	18 U.S.C. 2314	Not Guilty - 2/12/71		D. of Mass.	Aff'd-6/7/71 (1st Cir.)	
JOHN, JACK	6/25/70	18 U.S.C. 2314	Guilty - 2/12/71	10 years - 3/3/71	D. of Mass.	No appeal taken	
JOHN, ANTHONY	9/1/70	18 U.S.C. 2314	Guilty - 2/9/71	5 years - 2/9/71	D. of Mass.	Aff'd-9/7/71 (1st Cir.)	
JOHN, JOE	6/25/70	18 U.S.C. 2314	Guilty - 2/12/71	5 years - 3/1/71	D. of Mass.		
JOHN, JOAN	6/25/70	18 U.S.C. 2315	Not Guilty - 2/12/71		D. of Mass.		
JOHN, JOSEPH A.	6/25/70	18 U.S.C. 2315	Fugitive		D. of Mass.		
JOHN, JOHN C.	6/25/70	18 U.S.C. 2315	Judgment of Acquittal - 4/7/71		D. of Mass.		
ANTONELLA, ARTHUR	6/25/70	18 U.S.C. 2314	Not Guilty - 2/3/71		D. of Mass.		
ANTONELLA, FRANK	6/25/70	18 U.S.C. 2314	Not Guilty - 2/3/71		D. of Mass.		
JOHN, JACK	6/25/70	18 U.S.C. 2314	Not Guilty - 2/3/71		D. of Mass.	No appeal taken	
ANTONELLA, DANIEL F.	6/25/70	18 U.S.C. 2314 & 2315	Guilty - 12/3/70	15 years - 1/19/71 (Rule 20 - D. of Maryland) 10 years - 3/15/71	D. of Mass.	Aff'd-7/14/71 (1st Cir.)	
MICHEL, FRANK J.	6/25/70	18 U.S.C. 2314	Guilty - 2/6/70		D. of Mass.		
DUDDO, ROBERT	6/25/70	18 U.S.C. 2315	Not Guilty-2/3/72		D. of Mass.		
ANTONELLA, JOSEPH A.	3/26/71	18 U.S.C. 3150	Fugitive		D. of Mass.		
DUDDO, ROBERT	3/26/71	18 U.S.C. 3150	Pending		D. of Mass.		

- 2 -

NAME	Date of Indictment	Offense	Date of Verdict	Date of Disposition	District or State	Court of Appeals	Supreme Court
REDDING, ELARIO	1/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
MARATTA, JOSEPH A.	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
FACE, JACK	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
DEKIN, WILLIAM	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
DEWEY, JAMES	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
DELO, RAYMOND	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
TEINBERG, MARCO	3/25/70	Receiving Stolen Securities	Pending Trial		Comm. of Mass.		
MARATTA, JOSEPH A.	9/25/70	18 U.S.C. 2314, 2315, 371	Fugitive	15 years-1/19/71	So. D. of Fla.		
MONAGHAN, DANIEL F.	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-1/19/71	5 years-10/29/71	Rule 20-D. of Md.		
FACE, JACK	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-9/22/71	Pending	So. D. of Fla.		
LOA, RALPH	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-9/22/71	5 years prob.-May, 1971	Rule 20-S.D.N.Y.		
FINKELSTEIN, EDWARD	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-9/22/71	3 years-10/29/71	So. D. of Fla.		
DELO, RAYMOND	9/25/70	18 U.S.C. 2314, 2315, 371	Pending	5 years prob.-10/29/71	So. D. of Fla.		
TEINBERG, MARCO	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-9/22/71				
DEWEY, JAMES	9/25/70	18 U.S.C. 2314, 2315, 371	Guilty-9/22/71				
PERMAN, HERMAN	12/3/69	18 U.S.C. 1708, 371, 2	Guilty-12/2/70	3 years-1/30/71	So. D. of Fla.		
MARTIN, EDWARD	12/3/69	18 U.S.C. 1708, 371, 2	Guilty-12/2/70	5 years-3/30/71	So. D. of Fla.		
MARTIN, EDWARD	12/3/69	18 U.S.C. 1708, 371, 2	Guilty-12/2/70	1 year-3/30/71	So. D. of Fla.		
FACE, JACK	5/12/70	18 U.S.C. 2314, 371	Guilty-11/25/70	15 years-1/19/71	D. of Md.		
WISCHENFELD, JOHN A.	5/12/70	18 U.S.C. 2314, 371	Guilty-11/25/70	9 years-1/19/71	D. of Md.		
MARTIN, EDWARD	5/12/70	18 U.S.C. 2314, 371	Guilty-4/14/71	9 years-6/17/71	D. of Md.		
SABO, ALFRED M.	5/12/70	18 U.S.C. 2314, 371	Not Guilty-1/27/71		D. of Md.		
MONAGHAN, DANIEL F.	5/12/70	18 U.S.C. 2314, 2315, 371	Guilty-11/13/71	15 years-1/19/71	D. of Md.		
MARATTA, JOSEPH A.	5/12/70	18 U.S.C. 2314, 371	Fugitive		D. of Md.		
SCARFELLO, ROBERT	5/12/70	18 U.S.C. 2314, 371	Pending		D. of Md.		

<u>Name</u>	<u>Date of Indictment</u>	<u>Offense</u>	<u>Date of Verdict</u>	<u>Date of Disposition</u>	<u>District or State</u>	<u>Court of Appeals</u>	<u>Supreme Court</u>
CARDINE, ROBERT	1/19/71	18 U.S.C. 3150	Guilty-9/22/71	3 years-9/22/71	D. of Md.		
CARDINE, ROBERT	6/25/70	18 U.S.C. 2314, 2315, 371	Guilty-6/25/71	15 years-9/16/71	So. D. of Fla.		
CARDINE, ROBERT	6/25/70	18 U.S.C. 2314, 2315, 371	Guilty-6/25/71	12 years-9/16/71	So. D. of Fla.		
ADAMS, WALTER R.	6/25/70	18 U.S.C. 2314, 2315, 371	Guilty-6/25/71	10 years-9/16/71	So. D. of Fla.		
ADAMS, WALTER R.	6/25/70	18 U.S.C. 2314, 2315, 371	Guilty-6/25/71	12 years-9/16/71	So. D. of Fla.		
WATKINS, WILLIAM	6/25/70	18 U.S.C. 2314, 2315, 371	Guilty-6/25/71	12 years-9/16/71	So. D. of Fla.		
WATKINS, WILLIAM	6/25/70	18 U.S.C. 2314, 2315, 371	Guilty	2 years prob.	So. D. of Fla.		
CARDINE, ROBERT	2/1/71	18 U.S.C. 3150	Guilty-9/17/71	3 years-9/17/71	So. D. of Fla.		

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
ROBERT L. CARDILLO,

Plaintiff,

73 Civ. 1520

-against-

DOUBLEDAY & COMPANY, INC., THOMAS
C. PENNER, VINCENT TERESA and
FAWCETT PUBLICATIONS, doing business
as TRUE MAGAZINE,

AFFIDAVIT

Defendants
----- x

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

THOMAS C. PENNER, being duly sworn, deposes and says:

1. I am, along with Vincent Teresa, the author of a book entitled MY LIFE IN THE MAFIA, certain statements appearing in which are the subject of this libel action. I have been informed by my attorneys that before I can be held liable for the publication of these statements, the plaintiff must show that they were published by me with actual malice -- that is, with knowledge of their falsity or with reckless disregard of the truth.

2. For purposes of this motion, the Court should be made aware of my professional background. I attended Syracuse University as a journalism major and enlisted in the United States Marine Force where I served from 1948 to 1953 in various capacities with service newspapers and magazines. After discharge from the Service, I attended Hofstra University and I joined the staff of NEWSDAY, Long Island's daily newspaper, in whose employ I have

RENNER AFF'D

remained for the past 19 years. I started as a reporter covering stories related to the "police beat" and this led to investigations into the areas of organized crime. In 1968 I became the first fulltime organized crime investigative reporter in the United States and my professional life since then has been devoted to exposés in that area.

My major stories have included the first expose in 1966 of organized crime infiltration in the credit industry. In 1968, in a series of articles, I identified 151 organized crime figures in the Long Island area and exposed organized crime activities in highjacking and cigarette smuggling. In 1970 I filed stories involving organized crime infiltration of the United States Postal Service and also did extensive reporting into organized crime mail thefts at Kennedy Airport. In 1971 I was the first reporter to expose organized crime infiltration into the food industry. Also, I was the first to identify the successor to crime boss Joe Bonanno; the first to identify Paul Sciacca as a crime boss; the first to identify the existence of a Canadian crime family and its leadership; the first to identify the interim successor to Buffalo crime boss Stefano Magaddino; and the first to identify The Simone DeCavalcante organized crime family. Besides NEWSDAY, my stories have regularly appeared in over 150 newspapers throughout the United States and Canada.

In addition, I have testified before a United States Congressional Committee investigating postal thefts and the New York State Joint Legislative Committee investigating narcotics and also Queens and Suffolk County grand juries. I have addressed State Attorney General seminars on organized crime

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in the States of Massachusetts, Connecticut and Rhode Island. To my knowledge, I am the only reporter ever permitted to sit in on meetings of the Law Enforcement Investigating Unit, an organization comprised of the top intelligence agencies of police departments throughout the United States.

3. In 1971 I was contacted by a former Federal agent on behalf of Vincent Teresa and asked if I would be interested in collaborating on a book that Teresa was proposing to write about his experiences in organized crime. At that time, I had heard of Teresa and was aware of his position in organized crime. I knew that he was presently cooperating with Federal authorities and that, in fact, his testimony had resulted in numerous convictions of organized crime figures. I therefore agreed to meet with him. After my initial meeting I conducted more extensive research into his background and ultimately decided that his proposal presented me with a unique opportunity to co-author the first true inside story of a high-ranking organized crime figure. Thereafter, numerous hours were spent in interviewing Teresa and in organizing his story.

4. The plaintiff in this action apparently complains that every statement in the book about him is false and libelous. These statements are set forth in paragraphs 5(a) through 5(o) of his complaint (attached as Exhibit A to the Callagy aff'd). These statements can be generally categorized into the following three areas (my substantiation for the respective statements is also referred to):

(i) Crimes committed by the plaintiff for which he was arrested and convicted. During the course of my interviews with Teresa, he mentioned the various fraudulent stock transactions in which he was engaged. The plaintiff's name came up in these discussions. He also alluded to other crimes committed by the plaintiff. Before publishing the book, I obtained the plaintiff's criminal record which showed that the plaintiff had in fact been convicted of stock fraud and bail jumping, as well as convicted for shoplifting. I also confirmed these facts with the various Federal prosecutors who had been in charge of Teresa and/or Cardillo's prosecution. This, together with Teresa's word which had proved reliable in so many other criminal cases, was proof positive that Cardillo committed these crimes. In fact, the plaintiff has admitted commission of these crimes in answers he has submitted to interrogatories propounded by the defendants. (See Exhibit D of the Callagy aff'd).

(ii) The second area is crimes committed by plaintiff for which he was never convicted but for which there was available cross reference substantiation. For example, plaintiff claims that it is libelous to state that he engaged in horse racing fixes at Suffolk Downs in Massachusetts. However, after being informed of this by Teresa, my investigation revealed that testimony was given to a Congressional Investigation Committee by one Joseph Barbozo that plaintiff was involved in numerous horse racing fixes (see Callagy aff'd, Exh. E). In fact, I was advised that at certain times plaintiff was barred from the track by track officials. In addition, I was aware that plaintiff was indicted by the Commonwealth of Massachusetts for race track violations. This indictment has never been acted upon because of plaintiff's present incarceration. Plaintiff also apparently denies that he ever engaged in fraudulent credit card schemes. However, long before I met Teresa, I had independently investigated organized crime infiltration into this area. Thereafter, various sources informed me that the plaintiff was in fact involved in schemes of this nature. This information came to me quite independently of the word I received from Teresa after interviewing him. In addition, I had available to me numerous FBI, Federal Strike Force and State Attorney General memoranda and reports which

mentioned the plaintiff's name in discussing various criminal activities. Thus, even the crimes for which the plaintiff was never arrested, or indicted, or convicted, there was still available cross substantiation to verify Teresa's word. (See Callagy aff'd, para. 10).

(iii) The final area would be crimes that the plaintiff committed with Teresa and for which there was no available cross substantiation material. I particularly relied on the word of Teresa in publishing these. I believe that this was more than reasonable in view of the plaintiff's criminal record, which was available to me, and in view of the fact that so many other details that he related to me about the plaintiff did prove to be true. These crimes are only of a minor nature. Plaintiff, however, apparently denies that he committed these for purposes of this libel action. Yet, in his answer (Callagy aff'd, Exhibit D) to defendant's Interrogatory No. 14A plaintiff admits that from between 1963 to 1969 he was friendly and well acquainted with Teresa; was well aware that Teresa was involved in "petty deals, minor crimes and small swindles", and further admits that he was "involved with Mr. Teresa in several minor crimes". In view of this admission it is inconceivable that any statements made about the plaintiff in the book are actionable or libelous.

5. I have read the affidavit of Thomas Congdon submitted by Doubleday on this motion and I concur in all statements contained therein regarding the extraordinary precautions Doubleday and its attorneys employed in order to insure that only the truth was published in this book. Briefly stated, in response to most of the questions raised by Doubleday's attorneys about statements considered to be potentially libelous, I provided written substantiation in the form of criminal records, indictment records, conviction records, FBI, Federal Strike Force and State Attorney General memoranda and reports. In addition, over the years I have maintained an extensive file on organized crime figures, as well as newspaper clippings in this regard which helped serve as additional substantiation.

6. In addition, in order to safeguard my reputation and to guarantee that Mr. Teresa's story was totally accurate, I submitted my draft manuscript to various top officials in the Federal and state agencies who investigate organized crime. I was able to do this because of friendships and associations developed over the many years I have spent in the field. Some of these outstanding persons who read this book prior to publication and who do not object to my divulging this fact are as follows:

John Kehoe, Commissioner, Massachusetts Department of Public Safety (State Police); former FBI agent who helped to convince Teresa to testify for the government.

Charles Rogovin, former director, Presidential Task Force on Organized Crime and former assistant attorney general, State of Massachusetts.

John Sweeney, director, New England Intelligence Systems (NEOCIS), former FBI agent.

Richard Schneiderhan, Massachusetts State Police, intelligence section, assigned to Massachusetts Attorney General's Office; at one time he investigated Teresa and compiled evidence against him.

John Brick, U.S. Senate Rackets Subcommittee (McClellan Committee) technical writer; Philip Manuel, investigator for McClellan committee.

Ralph Salerno, New York organized crime expert and author of THE CONFEDERATION.

Each of the foregoing experts and others read the manuscript, and advised me that the story told by Teresa was not only accurate from an intelligence standpoint, but that the information gained from their reading had substantially aided their own investigations.

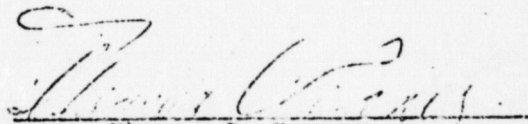
In addition to those who read the entire manuscript, many of these same people and the following additional crime experts were contacted by me for independent substantiation about various individuals identified in the book by Teresa. These include: Dennis Crowley, former assistant director of New England Intelligence Systems and a former chief investigator for the Massachusetts Attorney Generals' Office; John Larkin, assistant prosecutor, Massachusetts Attorney General's Office; Gary Betz, Florida Federal Strike Force Director; Daniel Hollman, former director, New York Joint Federal Strike Force; Denis Dillon, director, Eastern District Federal Strike Force; Reis Kash, director of security, U.S. Marshal's Service; John Pardington, security specialist; U.S. Marshal's Service; Kenneth Renzi, security specialist, U.S. Marshal's Service and present and former FBI agents whose names cannot be divulged.

All of these individuals, both those who read the entire manuscript and those who were consulted in regard to particular portions or individuals referred to therein, found Teresa to be extremely accurate. The only errors that were ever discovered were minor ones about dates or amounts, but never were there any errors about names of persons, incidents or places. Some of these officials even checked records and documents available only to them, so that this method of review represented the most complete substantiation possible.

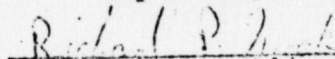
7. In conclusion, this is a libel lawsuit by an individual, presently incarcerated, whose record adequately reveals that he has led a life of crime and who has little or no respect for the law. I do not personally know the plaintiff, have never

met him, nor did I or do I now feel any malice towards him. However, it is overwhelmingly clear that he alleges statements in my book are libelous and yet he is presently in jail for the very facts about which he complains. This is a lawsuit which is totally and wholly without merit.

8. As an investigative reporter with what I believe is a valuable reputation to protect, I made every effort to cross-check information given me by Teresa with other reliable and authoritative sources to insure the accuracy of the book. I frankly doubt that any other writer in this field would have had access to as many sources as I did and that this was largely due to my reputation in the field as an accurate organized crime reporter. If there is anything in this book which is not true, it is unequivocally certain that it was not published with knowledge of falsely or reckless disregard of the truth.


Thomas C. Renner

Sworn to before me this September 15, 1973
day of September, 1973.


Notary Public

RICHARD P. HOOK
Notary Public, State of New York
No. 52-0155075 Suffolk County
Term Expires March 30, 1974

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x

ROBERT L. CARDILLO,

Plaintiff,:

73 Civ. 1520

-against-

DOUBLEDAY & COMPANY, INC., THOMAS C.
RENNER, VINCENT TERESA and FAWCETT
PUBLICATIONS, doing business as
TRUE MAGAZINE,

Defendants.

AFFIDAVIT

----- x

STATE OF)

) ss.:

COUNTY OF)

VINCENT TERESA, being duly sworn, deposes and says:

1. I am a defendant in this action and one of the authors of the book MY LIFE IN THE MAFIA, which was published by defendant, Doubleday & Company, Inc.

2. MY LIFE IN THE MAFIA is a true life story about my family's Mafia background and my involvement in organized crime and eventual rise to a high level in New England organized crime. My book reveals many secrets about the operations of organized crime which, to my knowledge, have never been told before. It even goes so far as to relate incidents and name individuals who previously were not even suspected of being members of organized crime.

3. How I came to write this book is as follows: After I had become the third highest moneymaker in New England organized

TERESA AFF'D

crime (I was answerable only to Raymond Patriarca and Henry Tameleo), I was caught and sentenced to a twenty year jail term for swindling more than \$800,000 worth of stock. Because members of the mob failed to take care of my family and stole for themselves large sums due me from various deals prior to my going to jail, I decided to break the Mafia code of silence and agreed to cooperate with Federal and local authorities and testify before grand juries about the persons and activities in which I was involved.

4. After agreeing to cooperate with the government, I was asked and consented to testify before numerous Federal and state grand juries. When these appearances led to indictments I was also asked to be a witness at the trials. At about the same time, I sought out Tom Renner to help me write a book about my involvement with organized crime. I knew that no other reporter or writer had a better understanding of organized crime than Mr. Renner. In lengthy interviews with him, I told my story to Renner and it was he who organized it and put it in book form.

5. At the time of the publication of the book, my testimony had directly resulted in 45 convictions of approximately 25 individuals. I think this statistic is in itself conclusive evidence that my book tells the truth. I am informed that the list of convictions at the present time has surpassed 50 and I am still being asked to testify at various trials. Most recently, I testified at the trial of Meyer Lansky in Florida. I was also asked and did testify before the McClellan Senate Subcommittee.

6. In regard to statements about which the plaintiff, Bobby Cardillo, complains, each of these statements is absolutely

true and Bobby knows it. I personally witnessed most of the incidents which I relate about Bobby and if I did not witness them I was personally told about them by Bobby himself. In fact, the only way that anything about Bobby in this book could be false is if Bobby lied to me in relating his activities. But then with respect to most of the stories where I was not personally involved or did not witness the events, I heard confirming accounts from other individuals involved in the schemes. I have set forth the specific details about each such story in my answer to plaintiff's interrogatories (copy of which is attached hereto as Exhibit A).

7. I have known Bobby Cardillo from at least as early as 1962 and probably years before that. Based on my relationship with him, I know that he was involved in the commission of many crimes including extortion. He worked for me in many illegal schemes which he admits in his answers he gave to certain questions which my attorneys asked him. (See Callagy aff'd, Exhibit D). Cardillo knows that everything I have said about him is true. In fact, he is in jail right now because of some of the crimes which I tell about in this book. It was my testimony in the Southern District of Florida which resulted in the imposition of a 15 year jail sentence against him for securities fraud which he is now serving.


Vincent Teresa

Sworn to before me this

day of September, 1973.

Notary Public

(See attached verification)

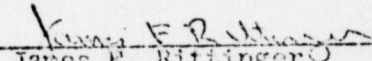
STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

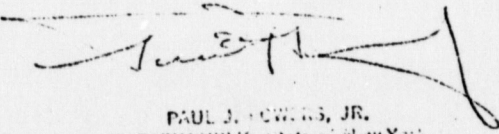
JAMES F. RITTINGER, being duly sworn, deposes and says:

He is an attorney admitted to practice before this Court and an associate in the firm of Satterlee & Stephens, attorneys for the defendant Vincent Teresa, herein; that he has read and knows the contents of the foregoing affidavit and that the same has been prepared in conjunction with facts related by Teresa and has been reviewed by Teresa and that Teresa has stated that he believes the same to be true.

That although this affidavit has been signed by Teresa, the reason that this verification is made by deponent rather than by Teresa is that Teresa is presently under the protective custody of the U.S. Government and his whereabouts are unknown; deponent can communicate with Teresa only through various intermediary sources and he is unable to contact Teresa without substantial inconvenience and delay; and that Teresa does not presently live under that name and that for Teresa to appear before a notary public and sign his name as Vincent Teresa would constitute a grave threat to his personal security.

Sworn to before me this
19th day of September 1973


James F. Rittinger


PAUL J. POWERS, JR.
NOTARY PUBLIC, STATE OF NEW YORK
No. 31-515-015
Qualified in New York County
Commission Expires March 30, 1975

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FILED	8/22/73
SATTERLEE & STEPHENSON	

-----x
ROBERT L. CARDILLO,

Plaintiff,

-against-

73 Civ. 1520

DOUBLEDAY & COMPANY, INC.,
THOMAS C. REINER, VINCENT TERESA
and FANCETT PUBLICATIONS, doing
business as TRUE MAGAZINE,

Defendants
-----x

ANSWERS OF DEFENDANT VINCENT
TERESA TO PLAINTIFF'S FIRST
AND SECOND SET OF INTERROGATORIES

Defendant Vincent Teresa (hereinafter "Teresa")
answers, in accordance with Rule 33 of the Federal Rules of Civil
Procedure, Plaintiff's First and Second set of Interrogatories,
expressly reserving all objections to the admissibility in
evidence of any answer herein.

FIRST SET

INTERROGATORY NO. 1

Vincent Teresa - age 44.

INTERROGATORY NO. 2

Teresa has been known by the nicknames "Big Vinnie"

EX. A

and "The Bear". During the course of many of Teresa's criminal activities, especially his obtaining fraudulent loans and dealing in fraudulent stock transactions, Teresa would use false names or "aliases". Teresa does not specifically remember these names, the overwhelming majority of which he recalls were selected at random from tombstones or telephone books.

INTERROGATORIES NOS. 3 and 4

Teresa objects to furnishing the information called for by these interrogatories. Teresa is presently under the protective custody of the United States Government. There have been numerous assassination threats on the life of Teresa by members of organized crime. Teresa is of the opinion that the plaintiff was and is closely associated with those individuals who represent the gravest threat to his life. In short, to supply any information required by these interrogatories which would even hint of Teresa's whereabouts would be tantamount to inviting assassination.

Furthermore, all the information requested by these interrogatories is irrelevant and immaterial to the issues in this litigation and is not reasonably calculated to lead to the discovery of admissible, relevant or material evidence.

INTERROGATORIES NOS. 5 - 11

Teresa objects to the furnishing of the information called for by these interrogatories. The information sought is irrelevant and immaterial to the issues in this litigation

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and is not reasonably calculated to lead to the discovery of admissible, relevant or material evidence. In addition, to supply this information would be unduly burdensome and oppressive. By these interrogatories the plaintiff seeks information relative to Teresa's financial condition. Plaintiff admits that he wishes to discover "how the defendant is living". (See cover page to Plaintiff's First Set of Interrogatories). Likewise, any information as to what revenues Teresa may have received from the publication of MY LIFE IN THE MAFIA is not properly discoverable because plaintiff's measure of damage in a libel action is not based on the compensation which a defendant author receives from publication, but rather based on the monetary damage which allegedly libelous statements have caused to the plaintiff's reputation. Thus, information concerning Teresa's financial condition is irrelevant.

INTERROGATORY NO. 12

To the best of Teresa's knowledge, no criminal or civil proceedings, exclusive of the instant action, are pending against him.

INTERROGATORY NO. 13

In regard to criminal proceedings against Teresa said defendant furnishes the following answer to the best of his knowledge:

<u>Date</u>	<u>Offense</u>	<u>Court</u>	<u>Disposition</u>
2/21/44	Breaking and Entering	Malden District Court	Adjudicated Delinquent Industrial School ss. 11/7/45-2/20/45 12/12/45 Brought Forward Restitution of \$104 Paid and Filed
7/3/58	Larceny (3 counts)	Lynn District Court	2 months House of Correction each count ss. 7/3/59 and Defaulted 7/6/59 Default removed. 2 months House of Correction ss. 4/10/61
7/5/58	Larceny by Check (4 counts)	East Boston District Court	3 months House of Correction each count on & aft. ss. 7/6/59 - 4/10/61 - Dismissed.
9/8/58	Nonpayment of Wages	Somerville District Court	Defaulted - 9/11 Default Removed 50 ss Probation 10/18 and Defaulted 10/21/58 Default Removed \$50 paid.
3/25/59	Conspiracy to violate the small loans law	Middlesex Superior Court	\$200 ss.. Probation 4/24/59 and Paid
3/31/59	Larceny (3 counts)	East Boston District Court	c. 4/2-4/10 3 months House of Correction on and after each count ss. Probation and Dismissed
8/23/61	Larceny	Chelsea District Court	60 days House of Correction ss. 2/23/62 and Filed

<u>Date</u>	<u>Offense</u>	<u>Court</u>	<u>Disposition</u>
7/23/62	Larceny of Fraud checks (3 counts)	Plymouth District Court	c. 8/9/62 and Filed (3)
1/18/63	Fraud checks (3 counts)	Provincetown District Court	6 months House Correction ss. Probation 7/19/63 and Discharged (3)
2/6/63	Larceny of Fraud Checks	Plymouth District Court	2 months House of Correction ss. 2/6/64-3/12 Filed
9/21/64	Larceny from Checks	Plymouth District Court	Probation 9/11/ and Filed
3/12/66	Receiving Stolen Goods	East Boston District Court	c. 3/21-5/10-6 months House of Correction ss. Probation 5/10/67, Dismiss
8/24/67	Larceny of Airplane Ride	East Boston District Court	Defaulted-8/26. Default removed Continued to 8/30 - 9/8 six months House of Correction sus- pended, Probati to 9/8/68, Dis- missed
6/13/69	Interstate trans. of stolen sec- urities, aid- ing and abet- ting.	U.S.District Court for the District of Maryland	Ct. 1 -10 yrs. Ct. 2 -10 yrs. consecutively Ct. 3 -10 yrs. conc. Ct. 4 -10 yrs. conc. (serving sent. Fed. Penitenti in Lewisburg, Pa
2/9/70	Conspiracy to steal, buying, receiving and selling 72 stolen automobiles	Superior Court Berkshire	Guilty plea - 5 to 7 years; filed

In regard to civil proceedings instituted against him, exclusive of the instant action, Teresa recalls that civil actions were instituted against him in Massachusetts by individuals by the names of Frank Melrano and Pasquale Varto for failure to repay various loans averaging \$2,000 to \$3,000 each. In addition, a variety of liens were filed against his home and property in North Redding, Massachusetts, during the time that he was serving his sentence in the Lewisburg Penitentiary. He does not recall the specific claims which resulted in these liens. To the best of his knowledge all proceedings were disposed of and none are presently pending.

SECOND SET

INTERROGATORY NO. 1

Yes

INTERROGATORY NO. 2

No. 2. Yes.

A. Attached hereto as Exhibit A is a list prepared by Edward F. Harrington who at the time was attorney from the United States Justice Department in charge of the Boston Field Office, Organized Crime and Racketeering Section. This list reflects the cases in which Teresa was involved as a witness for the Federal and state governments prior to July 1971 and is self-explanatory. It should be pointed out that each of the cases specified in said Exhibit A followed appearances before either Federal or state grand juries. Teresa appeared before no other legislative body.

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B. Yes.

C. Teresa in April, 1969, prior to his cooperating with Federal and state authorities, and while on trial in the United States District Court for the District of Maryland for interstate transportation of stolen securities, perjured himself. He was never specifically charged with the crime of perjury. Subsequent to his cooperation with said authorities he divulged his perjury to said authorities and the record of his testimony before a Maryland Federal Grand Jury was corrected.

INTERROGATORY NO. 3

No. 3. Yes.

A through D. This is privileged information relating to executive session testimony before the Permanent Subcommittee on Investigations of the Committee on Government Operations, United States Senate (McClellan Committee). Because of the privileged nature of this testimony and upon instructions from said Committee, Teresa is unable to divulge this information.

INTERROGATORIES NOS. 4 and 5

Same answer as Interrogatory No. 3 A - D.

INTERROGATORY NO. 6

No. 6. Yes. Plaintiff supplied Teresa with stolen American Express, Diners Club and Carte Blanche credit cards, and was paid by Teresa the sum of \$50 to \$100 per card. The cards were supplied by Teresa to members of his "ring" for purposes of renting cars, which were then transported and sold. Said credit cards were also used to obtain airline transportation to cities such as Miami, Chicago, etc., where the cars were rented.

///

A. Teresa is unable to provide each specific act of the plaintiff and refers plaintiff to answer 6 above.

B. Plaintiff did not rent cars for Teresa. Plaintiff, however, did operate a similar but separate scheme with one Fred Sarno to steal and sell trucks, tractors and other construction equipment from Boston and vicinity to customers in Albany, New York, during period 1968 and 1969. Both plaintiff and his associate Sarno told Teresa about this scheme at the time it was taking place. Teresa did not participate in this particular scheme.

C. Teresa does not know the name appearing on "fraudulent" (stolen) credit cards used by plaintiff. Plaintiff merely supplied cards to Teresa.

D. Teresa is unaware of identity of travel agencies, airline offices or ticket booths from which plaintiff purchased airline tickets to Miami except that plaintiff did tell Teresa that he used stolen or fraudulent cards to purchase airline tickets from Northeast and Eastern Airlines in Boston for his entire family for trips to Florida in 1968 and 1969.

E. Plaintiff did not procure for defendant Teresa any phony car registration papers. As stated above plaintiff supplied stolen credit cards to Teresa.

F. As specified in the Massachusetts indictment, Teresa shipped 72 stolen cars from the continental United States. Plaintiff had nothing to do with the shipping arrangements, but merely supplied the credit cards that were used to rent and steal said vehicles.

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INTERROGATORY NO. 7

A. The cars were rented by the following individuals who worked for Teresa: Christopher Mustone, Peter Martinelli, Charles Hudson, and other individuals from the Lynn, Massachusetts area whose names defendant Teresa is unable to specifically remember. The dealers or rental agencies from whom the cars were obtained include Avis, National, Persion, and other car rental agencies in Miami, Florida, and other cities, the names of which Teresa does not specifically recall. The credit cards included American Express, Diners and Carte Blanche. Specific dates and names used on the credit cards are unknown to Teresa.

B. Cars included late model (1967-68) Chevrolets, Lincolns, Cadillacs, Oldsmobiles, two and four door models generally. The color and serial numbers are unknown to Teresa.

C. The individuals listed in response to interrogatory No. 7A above, drove the cars back to the Boston area. Teresa does not specifically remember the dates.

D. Ned Crown is Edmund Crown.

- (i) Current address unknown.
- (ii) Age unknown.
- (iii) Unknown; he was manager of an Antigua motel.
- (iv) "Ned":
- (v) He provided a farm where cars were assembled in the Pittsfield, Mass. area. He then arranged for shipment of cars to a pier in Brooklyn, New York, where they were then shipped to Antigua, Haiti and other Caribbean locations. He also provided agents in islands to receive and sell these vehicles.
- (vi) Approximately \$400 to \$600 per car.
- (vii) Over a quarter of a million dollars.

(viii) No.

(ix) Address unknown.

E. A Brooklyn pier agent whose name is not known to Teresa.

F. Unknown to Teresa.

G. Agents in Antigua and Haiti and other islands.

H. Approximately \$700 per car.

I. None.

INTERROGATORY NO. 6

Hayden Stone and at least one other house in Boston, Mass. which name Teresa does not recall.

A. Teresa was advised of this by plaintiff, Fred Sarno and Skinny Freddie Guarino of New York.

B. Guarino had contacts inside Hayden Stone and obtained securities for plaintiffs as did Gus Cangiano.

C. Jefferson County School Bonds, spring of 1968; also, plaintiff was found guilty of selling stolen bonds or securities to one Bernard Berman of Florida. Berman is alleged to have testified that he paid plaintiff \$50,000 for these securities or bonds. In the latter case, \$10 million in stolen securities or bonds in the name of Milk & Co., Apple and Co., Greeley and Co., and others were turned over to Berman who was to use them to buy an insurance company in Texas. Plaintiff, Teresa, and Willie D. Dentamore met with Berman at the Thunderbird Hotel in Miami. Phil Wagonheim, who is currently in federal prison, was also part of this scheme. Teresa was in jail when this transaction was later consummated. Teresa believes that one of plaintiff's convictions resulted from this case.

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INTERROGATORY NO. 9

No. 9. Yes.

A. Plaintiff informed Teresa that these bonds were stolen. Plaintiff was attempting to "push" (sell) these bonds for an individual named Skinny Freddie Guarino of New York. Plaintiff approached Teresa and offered to sell these bonds to him for \$9,000 in cash. Plaintiff agreed to sell these bonds to Teresa on credit for \$11,000.

B. Unknown to Teresa.

C. Skinny Freddie Guarino of New York.

D. Yes.

E. In the offices of the Esquire Sportsman's Club, Boston.

F. In 1968.

G. Plaintiff and Fred Sarno showed them to Teresa in the presence of Joe Black Lammattino and John Hirschfeld, then President of Esquire.

H. Yes. See answer to Interrogatory 9 G above.

I. Teresa never physically kept them in his possession but instead sent one Danny Mondavano and Fred Sarno to Baltimore where they were delivered to one Stuart Harrison. Harrison received permission from Joseph Schwartz of Baltimore to obtain a bank loan on these securities. Harrison collected 80% of the value of these securities immediately and later sold them at full face value.

J. Not physically. Teresa arranged for Mondavano, Sarno and Harrison to dispose of them.

K. See answer to Interrogatory 9 I.

L. Approximately the spring of 1968.

M. See Answer to Interrogatory 9 I.

N. Approximately \$42,000-43,000.

O. \$12,000 paid to Harrison in Baltimore, \$11,000 to plaintiff and his co-seller Sarno, the balance was split with Daniel Mondavano, Teresa, Joseph Joe Black Lammattina and Esquire Club office.

P. Approximately \$11,000. Delivery was made by Joe Black to plaintiff at the Best Tomato Co. plant in Boston.

INTERROGATORY NO. 10

No. 10. Yes.

A. Yes.

(iv) Teresa does not recall the specific information called for by this section of the interrogatory.

B. Not applicable.

C. Teresa received permission from Dave Iacovetti to turn over check to Iacovetti's attorney, Mel Kessler of Miami. Teresa went with plaintiff to Kessler's office in Miami and delivered the check.

D. Teresa has no knowledge of the information requested by this section of the interrogatory.

E. Approximately seven days after the check was given to him. The place where this took place and the amount delivered to Iacovetti are unknown to Teresa.

F. At Casa Luigi's Restaurant, Miami, Florida, from Iacovetti in November, 1968.

G. This check was divided at Casa Luigi's Restaurant in the presence of Phil Waggonheim, the plaintiff and Teresa. Teresa does not recall the amount of the division.

///

H. Teresa was spending approximately a two month vacation with plaintiff at the time the transaction occurred.

(i) Teresa had paid \$2,500 cash advance for rental of a home on Golden Island (at \$1,250 a month). Plaintiff rented a home on Golden Beach, Florida.

(ii) Teresa was with his wife and three children.

INTERROGATORY NO. 11

Plaintiff was, according to the account he related to Teresa, a big airline ticket hustler. He had a dozen men working for him. He supplied stolen and fraudulent cards to them and they, in turn, used them to purchase goods and/or airline tickets in large quantities. Those working for plaintiff received 25% of the ticket value, according to plaintiff who in turn sold them to Teresa and others for 50% of value.

A. Plaintiff supplied American Express, Diners Club, Carte Blanche credit cards and other cards. Dates, names of the issuing companies of said cards and their rightful owners are unknown. However, Teresa clearly recalls that plaintiff, in November, 1968, stated that he had used stolen credit cards to buy Teresa's airline tickets. During that same period in November and December, 1968, plaintiff also used stolen cards to rent vehicles through doormen at the Thunderbird Motel, the Fountainbleu Hotel and the Hilton Hotel in Miami and Miami Beach. Teresa never witnessed plaintiff steal cards and, in fact, was told by plaintiff that he obtained cards from others including Gus and Frank Cangiano, who confirmed this to Teresa in subsequent conversations.

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B. Plaintiff rented cars during this and other periods, believed to be in 1967, 1968 and 1969, through Persian Car Agency, Avis and National and other hotel sponsored, off-brand car rental agencies. Teresa either never knew or cannot recall the remaining information requested by this section of Interrogatory 11.

C. Plaintiff supplied both airline tickets and credit cards to Teresa in 1967, 1968, and to Robert Napolitano of Boston. Others he supplied with tickets and/or cards included Peter Martinelli, Joe Black Lammattina, Jack Hirschfeld, Dominick Foto, and plaintiff's entire family. Dates and exact details of transactions unknown to defendant Teresa.

iff,

INTERROGATORY NO. 12

See answer to Interrogatory 3 - A through D,
Second Set.

INTERROGATORY NO. 13

See objections to Interrogatories Nos. 5 through 11,
First Set.

co

INTERROGATORY NO. 14

This statement does not appear in MY LIFE IN THE MAFIA or in any serialization thereof and is not a basis for plaintiff's claims in this action. In addition, Teresa objects to supplying the information sought by this interrogatory on the grounds that it is irrelevant and immaterial and it is not reasonably calculated to lead to admissible or relevant evidence.

Dated: New York, New York

SATTERLEE & STEPHENS

By: _____

A member of the firm
Attorneys for defendant
Vincent Teresa
277 Park Avenue
New York, New York 10017

STATE OF NEW YORK)
COUNTY OF NEW YORK)

ROBERT M. CALLAGY, being duly sworn, deposes and says:

He is an attorney admitted to practice before this Court and a member of the firm of Satterlee & Stephens, attorneys for the defendant, Vincent Teresa, herein; that he has read and knows the contents of the foregoing answers to plaintiff's interrogatories; that the same have been answered and reviewed by Teresa and that Teresa has stated that he believes the same to be true.

That the reason this verification is made by deponent rather than by Teresa is that Teresa is presently under the protective custody of the U. S. Government and his whereabouts are unknown; deponent can communicate with Teresa only through various intermediary sources and he is unable to contact Teresa without substantial inconvenience and delay; that Teresa does not presently live under that name and that for Teresa to appear before a notary public and sign his name as Vincent Teresa would constitute a grave threat to his personal security; that the grounds of deponent's belief and the source of his information with respect to the matters set forth in the answers are derived from communications with Teresa and other documents and writings relating to the interrogatories propounded by the plaintiff which are in the deponent's possession.

Sworn to before me this
17th day of August, 1973.

Robert M. Callagy

Notary Public

My Comm. Expires 12/31/74
Notary Public, State of New York
Residence: 100 West 10th Street
New York, New York 10011
Office: 100 West 10th Street
New York, New York 10011

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RECORD FOLDER	
SERVED	
PERSON	MAIL
8/29/73	
DELIVERED TO	ATL
SATTERLEE & STEPHENS	

-----X
ROBERT L. CARDILLO,

Plaintiff,

73 Civ. 1520

-against-

DOUBLEDAY & COMPANY, INC., THOMAS
C. RENNER, VINCENT TERESA and
FANCETT PUBLICATIONS, doing business
as TRUE MAGAZINE,

Defendants.
-----X

ANSWER OF DEFENDANT VINCENT
TERESA TO PLAINTIFF'S THIRD
SET OF INTERROGATORIES

Defendant Vincent Teresa (hereinafter "Teresa")
answers, in accordance with Rule 33 of the Federal Rules of Civil
Procedure, Plaintiff's Third Set of Interrogatories, expressly
reserving all objections to the admissibility in evidence of any
answer herein.

THIRD SET

INTERROGATORY NO. 1

Providence, Rhode Island, Ramada Motel.

INTERROGATORY NO. 2

Teresa contacted Thomas C. Renner through a friend.
Approval for the meeting was not required. Renner first met with
Teresa following meetings Teresa had in Providence with the Mass-
achusetts Attorney General's office and the Massachusetts State
Police. United States Marshals provided security at these

meetings.

INTERROGATORIES 3, 4 and 5

See Teresa's answer to Interrogatory number 3 A-D,
Second set.

INTERROGATORY NO. 6

Teresa has been acquainted with the plaintiff since as early as 1962, and probably before that date. Teresa's relationship with plaintiff could be characterized as that of a close personal friend.

INTERROGATORY NO. 7

- a. Unknown
- b. Michael (Fat Mike) Ciardi
- c. Large red trailer, make and size unknown.
- d. Teresa does not recall.
- e. The key was in the truck.
- f. Teresa does not recall.
- g. Teresa does not recall. However, Everett, Mass.,

Police confiscated the contents of the truck at the warehouse.

INTERROGATORY NO. 8

- a. Unknown, but it was the same year as the incident referred to in answer to Interrogatory 7.
- b. Unknown
- c. Unknown
- d. Teresa does not recall. The truck was not hijacked by Teresa. Teresa took the truck from a parking lot in the Quinc area and brought it to an area outside of Springfield, Mass.

e. See answer d. above. Warehouse was actually a barn located behind a liquor establishment, name unknown.

f. Teresa does not recall.

g. Names of various bars unknown. However, there was one establishment in Springfield, Mass. that purchased a major share of the load and then repoured liquor into different bottles to avoid Virginia tax stamps on stolen bottles.

h. Approximately 800 cases of liquor in quart and pint sizes. The amount of money received for sale of the load is not recalled by Teresa.

INTERROGATORY NO. 9

a. Lt. P. Patterson, Revere, Mass., headquarters.

b. In January or February, 1969.

c. Exact date not recalled by Teresa; see answer to b, above.

d. Unknown to Teresa because they were false names.

e. The exact amount is unknown, but it totalled more than \$1,800 for two rooms and all meals.

f. Plaintiff made arrangements with Lieutenant Patterson by telephone from the Thunderbird.

g. Yes. Plaintiff escorted the Lieutenant, his wife and friends to the desk and they signed the register under the names he provided for them.

h. Unknown.

i. It was approximately the winter of 1969.

j. From the home of plaintiff's brother-in-law on Lincoln Street or Road, in Revere, Mass.

k. Title to the home was in the name of plaintiff's

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brother-in-law but it was actually owned by plaintiff.

1. It was approximately the winter of 1969.

m. Unknown. However, Teresa was present with plaintiff when the Lieutenant arrived at the house and helped plaintiff draft a list of phoney losses.

n. Unknown to defendant. The arrangements were between plaintiff and the Lieutenant and did not involve Teresa

INTERROGATORY NO. 10

a. The exact date is not recalled, but it was approximately 1964.

b. Teresa does not recall.

c. Washington Street, Boston, Mass.

d. Washington Street, Boston, Mass.

e. Unknown.

f. No. Teresa was not present but plaintiff told Teresa about it and showed him a set of furniture stolen from store.

g. Plaintiff.

h. Teresa was with plaintiff when plaintiff shoplifted various items from the mall shopping center in Revere, Mass. Plaintiff told Teresa that without friends like the Lieutenant plaintiff would get into serious trouble for such thefts. Plaintiff shoplifted in so many different stores it is difficult for Teresa to recall the names of such stores and dates on which shoplifting occurred. However, plaintiff did on occasion come to Teresa's home with his car trunk filled with various appliances and colognes and on several occasions, gave Teresa's wife, a toaster, mixer, and electric irons from said car trunk, all of which plaintiff told Teresa had been stolen.

Further, plaintiff's criminal record indicates that he has been arrested and convicted of shoplifting.

i. Except when witnessed personally, it was told to Teresa by plaintiff.

INTERROGATORY NO. 11

a. Shortly before the running of the Constitution Handicap.

b. Racetrack, Suffolk Downs.

c. Plaintiff and Teresa - injection.

d. Roy Patton of New York supplied the drug and Dr. Charles E. Reilly of Massachusetts supplied the syringes.

e. Unknown to Teresa except that it was a depressant.

f. All but two horses, the winning horse and a horse who had no chance of winning. Names of horses included Dependability, Sandover, Sister Carol, Its Blitz and Slapstick. The winning horse was Flauntless Light. The name of the other horse which was not drugged is not recalled by Teresa.

g. Teresa does not recall, but it is a matter of record at Suffolk Downs. There was a substantial distance between the winning horse and the favorite, Dependability.

h. A matter of record at Suffolk Downs, but not recalled by Teresa.

i. Yes.

j. (1) Plaintiff was not present at the track because he had been barred by racing officials. He was, however, standing outside the track gate.

(2) The same is true as to Tameleo.

(3) Mustone was with Teresa.

k. See answer to Interrogatory No. 11 (h) above.

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INTERROGATORY NO. 12

- a. Broadway, Revere, Mass.
- b. Automobile. The owner and description of the automobile are not recalled by Teresa.
- || c. On September 23, 1966, approximately 3/4ths Hour after Lindenbaum and Steve Hughes were killed.
- d. They did not enter laundromat but went upstairs Lindenbaum's apartment. No one was in apartment. Entry was gained by breaking and entering.
- e. Nothing was found "in the laundromat". The diamonds and cash were found in the apartment in a secret panel of a desk drawer and in a clothes closet.
- f. They were handed to Henry Tameleo.
- g. Lindenbaum maintained a home on Revere Beach, address not recalled by Teresa. Teresa does not recall the name of the man sent by Tameleo to obtain the cash from behind the radiator.

INTERROGATORY NO. 13

See answers to Interrogatories 6 and 11, Second Set.

INTERROGATORY NO. 14

- a. Plaintiff and Teresa went to Florida separately.
- b. Teresa doesn't recall, but it may have been at the Heathwood Motel.
- c. A girlfriend, Rose Nieves.

INTERROGATORY NO. 15

- a. Yes. Plaintiff engaged in hijacks, distribution and sale of stolen securities, gambling, hustling, burglaries of toy warehouse and other sundry crimes and received a percentage.

varying from transaction to transaction, from Teresa.

b. Yes, approximately, since 1962 and possibly before that.

c. Plaintiff appears, or appeared, larger than he actually was. A better estimate of his height would be approximately 5 feet, 10 inches tall. He was, however, quite heavy and must have weighed somewhere between 220 and 260 lbs.

d. Yes.

e. Patriarca fronted for Teresa and plaintiff in connection with the purchase of a load of hijacked cigarettes.

f. Plaintiff informed Teresa about his poverty which included living in two rooms filled with about 15 persons all of whom were plaintiff's relatives but whose identities are unknown to Teresa.

g. Plaintiff.

h. In 1963 or 1964, at the Ebbtide nightclub in Revere, Mass. Yes, Teresa knew plaintiff before this meeting.

i. Teddy Fucillo was from Boston, Mass. On a number of occasions Teresa has seen plaintiff with Fucillo. Plaintiff and Fucillo both told Teresa, as did Tameleo, that plaintiff was engaged in illegal activities for Fucillo including hijacking and other criminal activities.

j. Unknown to Teresa except in general terms described in answer to Interrogatory 15 (i) above.

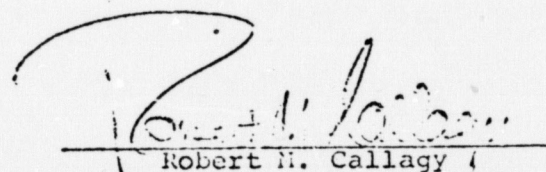
k. See answer to Interrogatories numbers 5-11, First Set.

l. This name is not recalled by Teresa.

m. The name of the warehouse is not recalled but it has since gone out of business and burned down.

Tony Pullio, Phil Waggonheim, Willie D. Daddano, Tony DeRosa,
|| Georgie Hooks Nobile.

z. Yes, but Teresa cannot recall the specific details


Robert M. Callagy

n. Frequently, as often as three times a week during the fall and winter preceding at least two Christmases.

o. A man in East Boston whose name Teresa does not recall.

p. Peter Martinelli.

q. Teresa recalls that some merchandise was sold to an individual in New Hampshire, but does not recall his name.

r. It was a large amount, but the exact sum is not recalled by Teresa.

s. Yes, for approximately fifty per cent of the wholesale value.

t. Yes.

u. Teresa did witness plaintiff shoplift at Jordon Marsh's and at a store in a Revere, Mass. shopping mall. He does not recall the specific details.

v. Plaintiff told Teresa of numerous other shoplifting thefts.

w. Plaintiff would frequently complain about his former wife, Adeline, who he said ran around with other men and who he claimed to have beaten on at least one occasion. Plaintiff did not buy Cadillacs, but instead bought Oldsmobiles approximately every other year for her. Dates, models and colors are unknown.

x. In 1968 and 1969, plaintiff and Teresa "hustled" in card and dice games and participated in other fraudulent schemes. Teresa cannot recall names of victims, but does recall that thousands of dollars were obtained by these schemes.

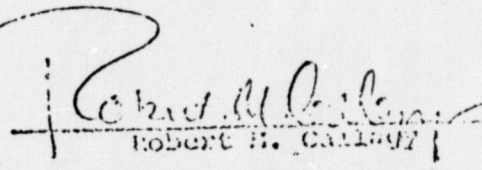
y. The individuals who Teresa specifically recalls as being involved are "The Count" from New Jersey, Anthony Accardo,

STATE OF NEW YORK)
COUNTY OF NEW YORK)

ROBERT H. CALLAGY, being duly sworn, deposes and says:
He is an attorney admitted to practice before this Court and a member of the firm of Satterlee & Stephens, attorney for the defendant, Vincent Teresa, herein; that he has read and knows the contents of the foregoing answers to plaintiff's interrogatories; that the same have been answered and reviewed by Teresa and that Teresa has stated that he believes the same to be true.

That the reason this verification is made by deponent rather than by Teresa is that Teresa is presently under the protective custody of the U. S. Government and his whereabouts are unknown; deponent can communicate with Teresa only through various intermediary sources and he is unable to contact Teresa without substantial inconvenience and delay; that Teresa does not presently live under that name and that for Teresa to appear before a notary public and sign his name as Vincent Teresa would constitute a grave threat to his personal security; that the gist of deponent's belief and the source of his information with respect to the matters set forth in the answers are derived from communications with Teresa and other documents and writings relating to the interrogatories propounded by the plaintiff which are in the deponent's possession.

Sworn to before me this
1st day of August, 1973.


ROBERT H. CALLAGY

Notary Public
New York State
My Comm. Expires 12/31/74
My Comm. No. 123456789
My Exp. Date 12/31/74
My Exp. No. 123456789

Commonwealth of Massachusetts)
County of) ss.:

Edward F. Harrington, being duly sworn, deposes and says:

1. I was formerly with the United States Department of Justice as Attorney-in-Charge of the New England Field Office, Organized Crime and Racketeering Section (Federal Strike Force). In this capacity I coordinated various FBI interviews with Vincent Teresa. Teresa was at that time serving a twenty year jail sentence at Lewisburg Federal Penitentiary for stealing securities and had expressed a willingness to cooperate with the government. Our investigations of Teresa revealed that in his criminal activities in the New England area he had intimate knowledge about organized crime activities in that area.

2. After these various interviews with Teresa, I became convinced that he would be a valuable witness for the government in its investigations of members of organized crime and other associated criminals. It was my job to coordinate Teresa's appearances as a witness for both the Federal and State prosecuting authorities which were handling each independent case about which Teresa provided information.

3. I have never known Teresa not to tell the truth as a witness under oath. I can also state that he was a witness who worked hard to remember the things about which we questioned him and always made what I believe to be sincere and vigorous efforts to be complete and precise.

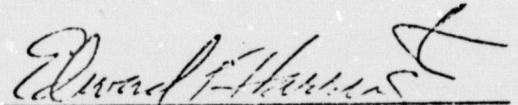
HARRINGTON AFF'D

4. In February of 1972, I prepared a chart of the actions in which Teresa was used as a witness. I understand that this chart is being used as an exhibit in the defense of this action. This chart shows 27 convictions involving 21 individuals in cases in which Teresa testified and I confirm that it is an accurate reflection of Teresa's witness record at that time. In short, as a witness for the government, Teresa's testimony has proved accurate and he has been an invaluable asset in the government's attack upon organized crime.

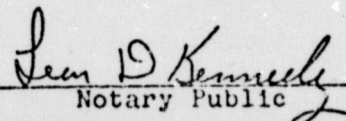
5. I have been informed that the plaintiff in this action is Robert Cardillo. During the time that I was supervising Teresa as a witness, he was used as a witness against Cardillo in the Federal District Court for the Southern District of Florida which resulted in a conviction of Cardillo for stolen securities violations. In fact, it is for this reason that Cardillo is presently incarcerated.

6. I should also mention that Thomas C. Renner, who is the co-author of Teresa's book, is a highly thought of and well respected investigative reporter in the field of organized crime.

7. In conclusion, in my dealings with Vincent Teresa and in the many trials and grand juries in which I have coordinated his appearance as a witness, I have never found him not to tell the truth.


Edward F. Harrington

Sworn to before me this
28th day of August, 1973.


Notary Public
Leon D. Kennedy
Notary Public
My Commission Expires 11 December 1975

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SS:

1. I am a Special Attorney, United States

2. In this capacity I had the opportunity to

3. I have been advised that Robert Cardillo has

4. In conclusion, Vincent Teresa as a witness

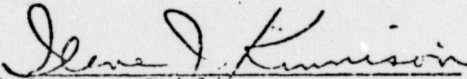
BETZ AFF'D

13
Robert Cardillo.

This affidavit is being presented so as to
eliminate any need for my deposition in this matter.


GARY L. BETZ

Sworn to before me this
30th day of August 1973.


Notary Public

NOTARY PUBLIC, STATE OF FLORIDA at LARGE
MY COMMISSION EXPIRES FEB., 29, 1976
Bonded thru General Insurance Underwriters.

STATE OF MARYLAND)
) ss:
CITY OF BALTIMORE)

Paul R. Kramer, being duly sworn, deposes and says:

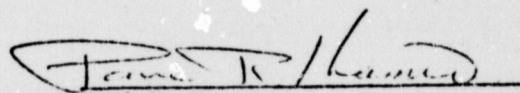
1. I am the First Assistant United States Attorney for the District of Maryland.

2. In this capacity I had the opportunity to interview Vincent Teresa and to call him as a witness in a number of cases against various criminal defendants. I was satisfied that he testified fully and truthfully when called as a government witness. Teresa was able to recall past events in detail and the accuracy of his memory was in many situations corroborated by independent testimony and documentary evidence. Therefore, I was satisfied that he testified truthfully as a government witness.

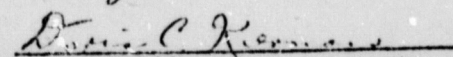
3. I have been informed that the plaintiff in this action is Robert Cardillo. An indictment was returned against Cardillo in the District of Maryland for violations of Title 18, U.S.C., §2314. Teresa was to be a government witness in that prosecution. This indictment was never prosecuted because of Cardillo's conviction and jail sentence imposed in the Southern District of Florida for violations of a similar nature. Mr. Cardillo was convicted of bail jumping, Title 18, U.S.C., §3150, in this District on September 22, 1971, and sentenced to three years in prison, that sentence to commence at the end of the 18 year sentence imposed by the District Court for the Southern District of Florida.

4. I have read the book, MY LIFE IN THE MAFLA, which I understand is the subject of a libel action. To the best of my recollection those portions in the book dealing with matters or people in or from Maryland substantially conforms with the evidence produced in Teresa's testimony as a government witness in Maryland and with information told to me during my interviews of him.

5. Vincent Teresa has been a very valuable and important government witness.


Paul R. Kramer

Sworn to before me this 17th day of August, 1973


Notary Public
My commission expires: July 1, 1974

KRAMER AFF'D

C 321-Affidavit of Service by Mail.
Affirmation of Service by Mail on Reverse Side.

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80 EXCHANGE PLACE AT BROADWAY, NEW YORK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT L. CARDILLO,

Plaintiff

against
DOUBLEDAY AND COMPANY, INC., THOMAS C.
RENNER, VINCENT TERESA and FAWCETT
PUBLICATIONS, d/b/a TRUE MAGAZINE,

Defendant S

Index No. 73 Civ. 1520

AFFIDAVIT OF SERVICE
BY MAIL

STATE OF NEW YORK, COUNTY OF NEW YORK

ss.:

The undersigned being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides at
1481 East 14th Street, Brooklyn, New York 11230

That on the 27th day of September 19 73 deponent served the annexed
Affidavits in Support of Summary Judgment
on Robert L. Cardillo, Plaintiff Pro Se
~~attorney(s) for~~
in this action at P.O. Box 1000, Lewisburg, Penna. 17837
the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed
in a postpaid properly addressed wrapper, in — a post office — official depository under the exclusive care
and custody of the United States post office department within the State of New York.

Sworn to before me

this 27th day of September 19 73

Notary Public
Commission Expires March 31, 1974

The name signed must be printed beneath
Harold Schroeder

1 Cop(y) (~~ies~~) Received

2.25 pm 3/31/75

SATTERLEE & STEPHENS

Attorneys for Defendant

Nancy S. Collins
Doubleday